Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 7, 2016, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $350,000,000 to finance the construction, acquisition, improvement, and betterment of critical community health, emergency response and safety, and animal care facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code, Chapter 31; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and with the General Plan, consistency requirement of Charter, Section 4.105, and Administrative Code, Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with
the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions regarding the citizens’ bond oversight committee in Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

Note: Additions are single-underline italics Times New Roman; deletions are strikethrough italics Times New Roman. Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

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

Section 1. Findings.

a. This Board of Supervisors (this "Board") recognizes the need to safeguard and enhance the public health and safety in the event of an earthquake by constructing and improving facilities that provide such services to City residents.

b. The Public Health and Safety Bond (the "Bond") will provide funding to acquire, construct, and improve critical public health and safety facilities (as described below in Section 3).

c. This Board now wishes to describe the terms of a ballot measure seeking approval for the issuance of general obligation bonds to finance all or a portion of the City's public health and safety needs as described below.

Section 2. A special election is called and ordered to be held on Tuesday, June 7, 2016, for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of the City for the project described in the amount and for the purposes stated: "SAN FRANCISCO PUBLIC HEALTH AND SAFETY BOND, 2016. $350,000,000 of bonded indebtedness to critical public health and safety facilities including essential seismic retrofits and improvements at the Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center campus, the modernization of fire response systems and the
renovation and addition to the Southeast Health Center, the renovation and seismic upgrade of the San Francisco Fire Department Ambulance Deployment Facility, and the construction of a new seismically safe Animal Care and Control Shelter; and to pay related costs, subject to independent citizen oversight and regular audits; and authorizing landlords to pass-through to residential tenants in units subject to Chapter 37 of the Administrative Code (the "Residential Rent Stabilization and Arbitration Ordinance") 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds."

The special election called and ordered shall be referred to in this ordinance as the "Public Health and Safety Bond Special Election."

Section 3. PROPOSED PROGRAM. All contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the provisions of Chapter 83 of the Administrative Code (the "First Source Hiring Program"), which fosters construction and permanent employment opportunities for qualified economically disadvantaged individuals. In addition, all contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the provisions of Chapter 14B of the Administrative Code (the "Local Business Enterprise and Non-Discrimination in Contracting Ordinance"), which assists small and micro local businesses to increase their ability to compete effectively for the award of City contracts. The proposed program can be summarized as follows:

a. PUBLIC HEALTH PROJECT. A portion of the Bond shall be allocated to make essential seismic retrofits and improvements at the Priscilla Chan and Mark Zuckerberg San Francisco General campus and neighborhood clinic, including but not limited to the modernization of fire response systems and the renovation and addition to the Southeast Health Center

b. SAFETY PROJECT. A portion of the Bond shall be allocated to the construction, acquisition, improvement, retrofitting, and upgrade of the San Francisco Fire Department
Ambulance Deployment Facility, which includes the construction of a modern, seismically safe ambulance and paramedic deployment facility.

c. ANIMAL RESCUE PROJECT. A portion of the Bond shall be allocated to the construction, acquisition, improvement, retrofitting, and upgrading of the San Francisco Animal Shelter, which includes the construction of a modern, seismically safe building to care for displaced animals and to prevent the spread of communicable diseases in the event of an earthquake.

d. CITIZENS’ OVERSIGHT COMMITTEE. A portion of the Bond shall be used to perform audits of the Bond, as further described in Section 15.

Section 4. BOND ACCOUNTABILITY MEASURES.

The Bond shall include the following administrative rules and principles:

a. OVERSIGHT. The proposed bond funds shall be subjected to approval processes and rules described in the Charter and Administrative Code. Pursuant to Administrative Code 5.31, the Citizens’ General Obligation Bond Oversight Committee shall conduct an annual review of bond spending, and shall provide an annual report of the bond program to the Mayor and the Board of Supervisors.

b. TRANSPARENCY. The City shall create and maintain a Web page outlining and describing the bond program, progress, and activity updates. The City shall also hold an annual public hearing and reviews on the bond program and its implementation before the Capital Planning Committee, the Police and Fire Commissions, and the Citizens’ General Obligation Bond Oversight Committee.

Section 5. The estimated cost of the bond financed portion of the project described in Section 2 above was fixed by the Board by Resolution No. __________, in the amount of $350,000,000. Said resolution was passed by two-thirds or more of the Board and approved by the Mayor. In such resolution it was recited and found by the Board that the sum of money
specified is too great to be paid out of the ordinary annual income and revenue of the City in
addition to the other annual expenses or other funds derived from taxes levied for those
purposes and will require expenditures greater than the amount allowed by the annual tax
levy.

The method and manner of payment of the estimated costs described in this ordinance
are by the issuance of bonds of the City not exceeding the principal amount specified.

Such estimate of costs as set forth in such resolution is adopted and determined to be
the estimated cost of such bond financed improvements and financing, as designed to date.

Section 6. The Bond Special Election shall be held and conducted and the votes
received and canvassed, and the returns made and the results ascertained, determined, and
declared as provided in this ordinance and in all particulars not recited in this ordinance such
election shall be held according to State law and the Charter and any regulations adopted
under State law or the Charter, providing for and governing elections in the City, and the polls
for such election shall be and remain open during the time required by such laws and
regulations.

Section 7. The Bond Special Election is consolidated with the General Election
scheduled to be held in the City on Tuesday, June 7, 2016. The voting precincts, polling
places, and officers of election for the June 7, 2016 General Election are hereby adopted,
established, designated, and named, respectively, as the voting precincts, polling places, and
officers of election for the Bond Special Election called, and reference is made to the notice of
election setting forth the voting precincts, polling places, and officers of election for the June
7, 2016 General Election by the Director of Elections to be published in the official newspaper
of the City on the date required under State law.

Section 8. The ballots to be used at the Bond Special Election shall be the ballots used
at the June 7, 2016 General Election. The word limit for ballot propositions imposed by
Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following as a separate proposition:

"SAN FRANCISCO PUBLIC HEALTH AND SAFETY BOND, 2016. “To protect public health and safety, improve community health care services, earthquake safety, and emergency medical response; to seismically improve, expand, and modernize the City’s vital public health facilities; to construct a seismically safe and improved San Francisco Fire Department ambulance deployment facility; and to construct a seismically safe, modern animal shelter to care for displaced animals and control the spread of disease; and to pay related costs, shall the City and County of San Francisco issue $350,000,000 in general obligation bonds, subject to citizen oversight and regular audits?"

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot in the location corresponding to a "YES" vote for the proposition, and each voter to vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

Section 9. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized shall be issued upon the order of the Board. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

Section 10. For the purpose of paying the principal and interest on the bonds, the Board shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of the City, or other account held on behalf of the Treasurer of the City, set apart for that purpose to meet all sums coming due for the principal and interest on
the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due
and also such part of the principal thereof as shall become due before the proceeds of a tax
levied at the time for making the next general tax levy can be made available for the payment
of such principal.

Section 11. This ordinance shall be published in accordance with any State law
requirements, and such publication shall constitute notice of the Bond Special Election and no
other notice of the Bond Special Election hereby called need be given.

Section 12. The Board, having reviewed the proposed legislation, makes the following
findings in compliance with the California Environmental Quality Act ("CEQA"), California
Public Resources Code Sections 21000 et seq., the CEQA Guidelines, 15 California
Administrative Code Sections 15000 et seq., ("CEQA Guidelines"), and San Francisco
Administrative Code Chapter 31 ("Chapter 31"): Each of the facilities proposed to be funded
with this Bond have been reviewed as required by CEQA. The Environmental Review Officer
has determined that the proposed facilities are either exempt from CEQA or have been
analyzed in an environmental document and are consistent with such analysis. The Board
affirms the determinations, for the reasons set forth in the analyses contained in Board of
Supervisors File No. _______, incorporated herein by this reference thereto.

Section 13. The Board finds and declares that the proposed Bond is (a) in conformity
with the priority policies of Section 101.1(b) of the Planning Code, (b) in accordance with
Section 4.105 of the Charter and Section 2A.53(f) of the Administrative Code, and (c)
consistent with the City’s General Plan, and adopts the findings of the Planning Department,
as set forth in the General Plan Referral Report dated December __, 2016, a copy of which is
on file with the Clerk of the Board in File No. ______________ and incorporates such
findings by reference.
Section 14. Under Section 53410 of the California Government Code, the bonds shall be for the specific purposes authorized in this ordinance and the proceeds of such bonds will be applied only for such specific purposes. The City will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 15. The Bonds are subject to, and incorporate by reference, the applicable provisions of Administrative Code Sections 5.30 – 5.36 (the "Citizens’ General Obligation Bond Oversight Committee"). Under Section 5.31, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund established by the Controller’s Office and appropriated by the Board of Supervisors at the direction of the Citizens’ General Obligation Bond Oversight Committee to cover the costs of said committee.

Section 16. The time requirements specified in Section 2.34 of the Administrative Code are waived.

Section 17. The appropriate officers, employees, representatives, and agents of the City are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.

Section 18. Documents referenced in this ordinance are on file with the Clerk of the Board of Supervisors in File No. ______________, which is hereby declared to be a part of this ordinance as if set forth fully herein.
APPROVED AS TO FORM:
DENNIS J. HERRERA,
City Attorney

By:
Mark D. Blake
Deputy City Attorney
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Mayor Lee
BOARD OF SUPERVISORS