

File No. 130085

Committee Item No. 1

Board Item No. 8

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Sub-Committee Date 04/03/2013

Board of Supervisors Meeting

Date April 9, 2013

#### 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission 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                                 |
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| <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                                  |
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Completed by: Victor Young Date March 29, 2013

Completed by: Victor Young Date 4-4-13

[Administrative Code - San Francisco City Hall Preservation Fund]

1  
2  
3 **Ordinance amending the San Francisco Administrative Code by adding**  
4 **Section 10.100-289 to establish a San Francisco City Hall Preservation Fund to receive**  
5 **donations and to authorize expenditures for the purpose of promoting the 100<sup>th</sup>**  
6 **anniversary of San Francisco City Hall, including promotional events, community**  
7 **outreach activities, preservation, maintenance, repair, and improvements, and similar**  
8 **post-anniversary endeavors.**

9 NOTE: Additions are *single-underline italics Times New Roman font*;  
10 deletions are *strike-through italics Times New Roman font*.  
11 Board amendment additions are double-underlined Arial font;  
12 Board amendment deletions are ~~strike-through Arial font~~.

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

14 Section 1. The San Francisco Administrative Code is hereby amended by adding  
15 Section 10.100-289, to read as follows:

16 SEC. 10.100-289. SAN FRANCISCO CITY HALL PRESERVATION FUND.

17 (a) Establishment of Fund. The San Francisco City Hall Preservation Fund is established as a  
18 category eight fund for the purposes of receiving donations of money, property and personal services  
19 which may be offered to the City and County of San Francisco through the City Administrator's Office  
20 for the uses described in subsection (b).

21 (b) Use of Fund. Except as otherwise required by the terms and conditions of any gift ("Donor  
22 Restrictions"), the City shall use and expend money, property, and personal services comprising the  
23 Fund solely for the purposes as will be determined by the City Administrator to assist in promotional  
24 events, community outreach activities, preservation, maintenance, repair, and improvements to San  
25

1 Francisco City Hall ("City Hall") that are associated with the commemoration in 2015 of the 100th  
2 anniversary of the establishment of City Hall. Subject to any Donor Restrictions, any funds remaining  
3 after the completion of all Centennial related events and activities may be used for City Hall  
4 preservation, maintenance, repair, and improvements to City Hall, as well as for related City Hall  
5 promotional events and community outreach activities.

6 (c) Gift Acceptance Authority. The City Administrator shall have the authority to accept and  
7 expend any donation of funds, goods, or services in accordance with this Section 10.100-289 without  
8 further action by the Board of Supervisors; except that, acceptance and expenditure of donations  
9 of a market value greater than \$100,000 shall require Board of Supervisors approval by  
10 resolution.

11 (d) On February 1 of each year until February 1, 2016, the City Administrator shall provide an  
12 annual report to the Clerk of the Board of Supervisors listing the amounts, types, and sources of  
13 donations made in the prior calendar year, as well as all expenditures from the Fund in the prior  
14 calendar year.

15 (~~e~~) Administration of the Fund. The fund shall be administered by the City Administrator's  
16 Office.

17 (f) Sunset Date. This Fund shall sunset on June 30, 2016, provided that any  
18 unexpended funds shall remain subject to any applicable gift restrictions.

19 //

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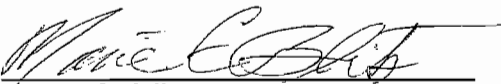
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1 Section 2. Effective Date. This ordinance shall become effective 30 days from the  
2 date of passage.

3  
4  
5  
6 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

7  
8 By:   
9 Marie C. Blits  
Deputy City Attorney

10  
11 n:\govern\as2012\1300251\00838368.doc



<p><b>Item 1</b> <b>File 13-0085</b></p>	<p><b>Departments:</b> City Administrator's Office Real Estate Division</p>
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**EXECUTIVE SUMMARY**

**Legislative Objectives**

- The proposed ordinance would amend the City's Administrative Code by adding Section 10.100-289 to (a) establish the San Francisco City Hall Preservation Fund ("City Hall Preservation Fund") as a Category 8 Fund, (b) authorize the City Administrator's Office to accept and expend all donations of money, property, and personal services to be deposited to the City Hall Preservation Fund, and (c) require the City Administrator to provide an annual report on February 1<sup>st</sup> of each year until February 1, 2016, that lists the amounts, types, and sources of donations made in the prior calendar year to the City Hall Preservation Fund.

**Key Points**

- The proposed ordinance would establish the City Hall Preservation Fund as a Category 8 Fund. As defined by City Administrative Code Section 10.100-1, Category 8 Funds allow individual City departments to (a) automatically appropriate expenditures consistent with the purpose of the fund, (b) accumulate interest provided that the balance in the fund exceeds \$50,000, and (c) carry forward any unexpended and unencumbered balance at the end of the fiscal year into the upcoming fiscal year.
- The Centennial Celebration of San Francisco City Hall will be a series of exhibits, events, and building improvements taking place over a 33-month period that starts in April 2013 and ends in December 2015.
- Under the proposed ordinance, the City Hall Preservation Fund would be used to promote the Centennial Anniversary of San Francisco City Hall and would include related promotional events, community outreach activities, preservation, maintenance, repair, improvements, and post-anniversary endeavors. All funds in the City Hall Preservation Fund would be private donations of money; property and personal services.

**Fiscal Impacts**

- According to Mr. Bill Barnes, Project Manager in the City Administrator's Office, the City's Real Estate Division's City Hall Building Management will administer the City Hall Preservation Fund within existing budgeted resources. Mr. Barnes anticipates a fundraising goal of between \$1,000,000 and \$3,000,000 for City Hall's Centennial; the costs of the Centennial celebration will be tied to the level of private contributions raised.

**Policy Considerations**

- The proposed ordinance waives the requirement of Board of Supervisors approval by resolution for the acceptance or expenditure of any gift of cash or goods of a market value greater than \$10,000. In order to ensure adequate oversight of the City Hall Preservation Fund, the Budget and Legislative Analyst recommends amending the proposed ordinance to require Board of Supervisors approval by resolution of the acceptance and expenditure of gifts exceeding \$100,000, consistent with the Administrative Code provision that requires Board of Supervisors approval to accept and expend grants exceeding \$100,000.

- The proposed ordinance requires the City Administrator to provide an annual report to the Board of Supervisors on February 1st of each year until February 1, 2016, that lists the amounts, types, and sources of donations made in the prior calendar year to the City Hall Preservation Fund. In order to ensure adequate oversight of the City Hall Preservation Fund, the Budget and Legislative Analyst recommends amending the proposed ordinance to require the February 1 annual report include expenditure reporting.
- Under the proposed ordinance, the proposed City Hall Preservation Fund does not have expiration or a sunset date. Because the City Hall Preservation Fund does not serve a purpose after the end of the City Hall Centennial in 2015, the Budget and Legislative Analyst recommends amending the proposed ordinance to require a sunset date of no later than June 30, 2016 at the close of the fiscal year.

#### **Recommendations**

- Amend the proposed ordinance to (a) require Board of Supervisors approval by resolution to accept and expend gifts exceeding \$100,000, (b) include expenditure reporting in the February 1<sup>st</sup> annual report to the Board of Supervisors, and (c) include a sunset date of June 30, 2016.
- Approve the proposed ordinance, as amended.

## **MANDATE STATEMENT / BACKGROUND**

### **Mandate Statement**

Charter Section 2.105 provides that all legislative acts in San Francisco be by ordinance, subject to approval by a majority of the Board of Supervisors.

In accordance with San Francisco Administrative Code Section 10.100-305(a), the Board of Supervisors may authorize the creation of gift funds as Category 8 funds, which allow for automatic appropriation of funds without further Board of Supervisors approval. Gift funds are created for the purpose of accepting gifts of cash or goods which may from time to time be offered to the City and County of San Francisco through any department, board or commission, for the benefit of the designated department, board or commission and for the purposes as specified by the donors.

In accordance with Administrative Code Section 10.100-1, Category 8 funds are (a) automatically appropriated for expenditures consistent with the purpose of the fund, (b) accumulate interest provided that the balance in the fund exceeds \$50,000, and (c) any unexpended and unencumbered balance at the end of the fiscal year is carried forward in the fund to the following fiscal year.

### **Background**

Following the 1906 San Francisco earthquake, rebuilding of City Hall commenced in 1913 and City Hall was occupied on December 28, 1915. The City plans to celebrate the centennial of the rebuilt City Hall throughout 2015. According to Mr. Kenneth Bukowski, Deputy City Administrator, the City Hall Centennial Celebration will be a series of exhibits, events, and building improvements taking place over a 33-month period that starts in April 2013 and ends in December 2015.

## DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would amend the City's Administrative Code by adding Section 10.100-289 to (a) establish the San Francisco City Hall Preservation Fund ("City Hall Preservation Fund") as a Category 8 Fund, (b) authorize the City Administrator's Office to accept and expend all gifts, including donations of money, property, and personal services to be deposited to the City Hall Preservation Fund, and (c) require the City Administrator to provide an annual report to the Board of Supervisors on February 1st of each year until February 1, 2016, that lists the amounts, types, and sources of donations made in the prior calendar year to the City Hall Preservation Fund.

As stated above and defined by Section 10.100-1 of the City's Administrative Code, Category 8 Funds allow individual City departments to (a) automatically appropriate funds deposited into the Category 8 Fund for expenditures consistent with the specified purposes and uses, (b) accumulate interest provided that the balance in the fund exceeds \$50,000, and (c) carry forward any unexpended and unencumbered balance remaining at the end of the fiscal year into the upcoming fiscal year.

To celebrate the 100<sup>th</sup> anniversary of the re-opening of City Hall in 1915 following the destruction of the City Hall building in the 1906 earthquake, the proposed ordinance would establish the City Hall Preservation Fund. City Hall Preservation Fund monies would be used to promote the Centennial Anniversary of San Francisco City Hall in 2015 and would include related promotional events, community outreach activities, preservation, maintenance, repair, improvements, and post-anniversary endeavors. According to Mr. Bill Barnes, City Administrator's Office Project Manager, all funds in the City Hall Preservation Fund would be private donations of money, property and personal services.

### **City Hall Centennial Celebration Promotional Events**

According to Mr. Barnes, examples of expected promotional event and community outreach activities may include both fundraising and no-cost events for the public to attend, such as the following:

- Increased school group visits and tours of City Hall;
- Partnerships with existing historical societies in San Francisco to present topics of particular concern (e.g. architectural, social or other historic aspects of City Hall);
- Centennial activities linked to cultural celebrations (e.g. Women's History Month, LGBT Pride, or Lunar New Year);
- Historical lectures in the City Hall light courts; and
- Civic Center events in conjunction with the Civic Center Community Benefit District and the Recreation and Park Department.



**City Hall Repairs and Renovations Previously Appropriated by the Board of Supervisors**

The City’s Capital Plan, as previously approved by the Board of Supervisors, contains City Hall repairs and renovations in FY 2012-13 and FY 2013-14, totaling \$2,935,000 as shown in Table 1 below. The Department of Administrative Services FY 2012-13 and FY 2013-14 budgets include \$2,935,000 in General Fund monies to pay for these repairs and renovations.

**Table 1. City Hall Capital Projects in the City’s Current Capital Plan, As Approved by the Board of Supervisors**

Project	FY 2012-13	FY 2013-14	Total
City Hall Dome Railing Repair and Restoration	\$150,000	\$0	\$150,000
City Hall Window Stabilization Phase 2	0	1,600,000	1,600,000
City Hall Emergency Power Capabilities	225,000	960,000	1,185,000
<b>Total</b>	<b>\$375,000</b>	<b>\$2,560,000</b>	<b>\$2,935,000</b>

**Historic Preservation Commission Approval**

On March 6, 2013, the Historic Preservation Commission heard this item as an informational item and instructed the Planning Department to draft a letter of support regarding the creation of this Category 8 Fund to the Clerk of the Board of Supervisors. The letter was submitted to the Clerk of the Board of Supervisors on March 22, 2013.

**FISCAL IMPACT**

According to Mr. Barnes, the City’s Real Estate Division’s City Hall Building Management will administer the City Hall Preservation Fund within existing budgeted resources, such that additional staff or funds will not needed to create the proposed City Hall Preservation Fund.

Mr. Barnes states that a fundraising goal will be set by the yet-to-be- named Centennial Chair<sup>1</sup>, but anticipates the fundraising to contribute between \$1,000,000 and \$3,000,000 for City Hall’s Centennial. According to Mr. Barnes, the City’s costs of the Centennial celebration will be directly tied to the level of private contributions raised, such that any City costs are expected to be minimal and will be absorbed within the existing City Administrator’s Office budget.

**Unfunded City Hall Repairs and Renovations**

According to Mr. Robert Reiter, City Hall Building Manager, City Hall was last renovated 15 years ago and most of the renovations, including interior and exterior paint and carpets have out lived their life span or will do so within the next five years. Table 2 below identifies \$1,850,000 in unfunded capital projects that would be expected to be funded from the proposed City Hall Preservation Fund, which as noted above is expected to rise between \$1,000,000 and \$3,000,000.

**Table 2. City Hall Unfunded Capital Projects**

<sup>1</sup> The Centennial Chair will be recruited, selected and announced by the City Administrator. There is no compensation or formal appointment/employment as an officer or employee of the City.

Project	Estimated Costs
Carpet replacements	\$150,000
Plumbing replacements <sup>1</sup>	1,200,000
LED lighting system for the exterior <sup>2</sup>	500,000
Total	\$1,850,000

1. Forty percent of the building still operates on the original plumbing from 1915.
2. Estimated cost, the scope of this project is under review and analysis.

Although a full assessment of capital needs has not been completed, according to Mr. Reiter, in addition to the projects identified above in Table 2, the initial planned preservation, maintenance, repair, and improvement actions may include the following depending on available funds:

- Repainting the Dome,
- Repairing Dome leaks,
- Interior painting of common areas,
- Interior painting of the Treasurer's Office,
- Floor repairs (cracks in the marble),
- Exterior Column cleaning (water stains), and
- Roof repairs.

After the completion of any Centennial-related events, the remaining funds may be used for preservation, maintenance, repair, and improvements to City Hall, as well as for related City Hall promotional events.<sup>2</sup>

**POLICY CONSIDERATIONS**

**Notification to the Board of Supervisor of Donations and Expenditures Greater than \$100,000**

San Francisco Administrative Code Section 10.100-305(b) requires Board of Supervisors approval by resolution for the acceptance or expenditure of any gift of cash or goods of a market value greater than \$10,000. The proposed ordinance waives this requirement, allowing the department to accept and expend gifts into this fund without requiring the Board of Supervisors to approve by resolution the acceptance and expenditure of specific gifts. In order to ensure adequate oversight of the City Hall Preservation Fund, the Budget and Legislative Analyst recommends amending the proposed ordinance to require Board of Supervisors approval by resolution of the acceptance and expenditure of gifts exceeding \$100,000, consistent with the Administrative Code provision that requires Board of Supervisors approval to accept and expend grants exceeding \$100,000.

**Annual Reporting to the Board of Supervisors**

<sup>2</sup> Under Administrative Code Section 10.100-1(d), the Controller is authorized to close such funds and return the remaining balance to the General Fund if no expenditures are made from Administrative Code Special Funds in two years.

The proposed ordinance requires the City Administrator to provide an annual report to the Board of Supervisors on February 1st of each year until February 1, 2016, that lists the amounts, types, and sources of donations made in the prior calendar year to the City Hall Preservation Fund. However, the proposed ordinance does not include the reporting of the City Hall Preservation Fund's expenditures. In order to ensure adequate oversight of the City Hall Preservation Fund, the Budget and Legislative Analyst recommends amending the proposed ordinance to require the February 1 annual report include expenditure reporting.

#### **City Hall Preservation Fund Sunset Date**

Under the proposed ordinance, the proposed City Hall Preservation Fund does not have expiration or a sunset date. Administrative Code Section 10.100-1(c) of the City's Administrative Code allows for any unexpended and unencumbered balance at the end of the fiscal year to be carried forward to the following fiscal year, and according to Ms. Monique Zmuda, Deputy Controller, any remaining City Hall Preservation Fund balance could only be used for the Fund's specified purpose. According to Administrative Code Section 10.1000-1(d), if no expenditures are made for two years, the Controller is authorized to close such funds and return the remaining balance to the General Fund. Because the City Hall Preservation Fund does not serve a purpose after the end of the City Hall Centennial in 2015, the Budget and Legislative Analyst recommends amending the proposed ordinance to require a sunset date of no later than June 30, 2016 at the close of the fiscal year.

### **RECOMMENDATIONS**

1. Amend the proposed ordinance to (a) require Board of Supervisors approval by resolution to accept and expend gifts exceeding \$100,000, (b) include expenditure reporting in the February 1<sup>st</sup> annual report to the Board of Supervisors, and (c) include a sunset date of June 30, 2016.
2. Approve the proposed ordinance, as amended.

**Miller, Alisa**

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**From:** Hayward, Sophie  
**Sent:** Friday, March 22, 2013 12:36 PM  
**To:** Calvillo, Angela; Farrell, Mark  
**Cc:** Miller, Alisa; Montejano, Jess; Barnes, Bill; Reiter, Rob  
**Subject:** City Hall Preservation Fund: Historic Preservation Commission's Letter of Support  
**Attachments:** HPC Letter of Support - BF-0085.pdf

Hello, all –

Attached is the Historic Preservation Commission's letter of support for the proposed City Hall Preservation Fund. The HPC heard the amendment as an informational item on their March 6<sup>th</sup> agenda. At that time, they did not take an action, but opted to write a letter of support for the amendment to the Administrative Code. The letter was included in their packets at this week's hearing.

I hope that this is helpful – please feel free to contact me if there are additional materials that I should send along.

Best,  
Sophie

Sophie Middlebrook Hayward, LEED AP  
San Francisco Planning Department, Legislative Affairs  
1650 Mission Street, SF, CA 94103  
(415) 558-6372



# SAN FRANCISCO PLANNING DEPARTMENT

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March 13, 2013

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

Re: Establishment of a San Francisco City Hall Preservation Fund (Board File 13-0085)

Dear Ms. Calvillo:

On January 24, 2013, Supervisor Mark Farrell introduced a proposed Ordinance that would amend the Administrative Code by adding Section 10.100-289 to establish a San Francisco City Hall Preservation Fund ("City Hall Preservation Fund") to receive donations and to authorize expenditures to promote the 100<sup>th</sup> anniversary of San Francisco City Hall.

On March 6, 2013, the Historic Preservation Commission (HPC) heard an informational presentation about the proposed Ordinance. The HPC would like to take this opportunity to express its support for the proposed Ordinance.

The proposed Ordinance would create a fund, to be managed by the City Administrator's Office, that would be used to assist in promotional events, preservation, maintenance, and repairs to City Hall that are associated with the commemoration in 2015 of the 100<sup>th</sup> anniversary of the landmark structure.

As proposed, the Ordinance would give the City Administrator the authority to accept donations and to expend funds for approved uses without further action or review by the Board of Supervisors. After the completion of any Centennial-related events, remaining funds may be used for preservation, maintenance, repair, and improvements to City Hall, as well as for related City Hall promotional events.

The HPC supports this proposal, and looks forward to an opportunity in the future for updates from the City Administrator's Office regarding events, as well as preservation, maintenance, and repair projects that may be accomplished with the funds.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Hasz".

Karl Hasz  
Chair  
Historic Preservation Commission

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

# MEMORANDUM

TO: Historic Preservation Commission  
FROM: Angela Calvillo, Clerk of the Board *by V. Young*  
DATE: February 12, 2013  
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Budget and Finance Committee

The Budget and Finance Committee has received the following, which is being referred to the Historic Preservation Commission (HPC) for public hearing and recommendation.

**File: 130085** Ordinance amending the Administrative Code, by adding Section 10.100-289, to establish a San Francisco City Hall Preservation Fund to receive donations and to authorize expenditures for the purpose of promoting the 100<sup>th</sup> anniversary of San Francisco City Hall, including promotional events, community outreach activities, preservation, maintenance, repair, improvements, and similar post-anniversary endeavors.

Please return this cover sheet with the Commission's response to **Victor Young, Committee Clerk, Budget and Finance Committee.**

\*\*\*\*\*

**RESPONSE FROM HPC - Date:** \_\_\_\_\_

\_\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Historical Preservation Commission**

- c. John Rahaim, Director of Planning
- Scott Sanchez, Zoning Administrator
- AnMarie Rodgers, Legislative Affairs
- Kate Stacy, City Attorney
- Tim Frye, Preservation Coordinator
- Jonas Ionin, Commission Secretary
- Bill Wycko, Chief, Major Environmental Analysis.
- Monica Pereira, Environmental Planning
- Joy Navarrete, Environmental Planning

# 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 different form.**

**Sponsor(s):**

**Subject:**

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

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



For Clerk's Use Only:

130085 ✓  
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