

1 [Amending the Administrative Code to add a new section establishing procedures for the
2 disclosure of certain information in connection with bond-financed projects including public
3 access to financing proposals, the identification of other funding sources, the limitation on the
4 transferability of bond authority, the expiration of bond authority, and the enforcement of said
5 procedures.]

6 **Ordinance amending Chapter 10 of the Administrative Code by adding Article IX**
7 **thereto; requiring any ballot measure submitted to the voters to include certain**
8 **information; requiring public access to financing proposals for capital projects;**
9 **requiring the commitment of additional funds for projects financed in part with bond**
10 **proceeds; limiting the transferability of bond authority for other projects; authorizing**
11 **the expiration of bond authority; requiring the Controller to enforce this Article; and all**
12 **other matters related thereto.**

13 Note: This section is entirely new.

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

15 Section 1. The San Francisco Administrative Code is hereby amended by adding
16 Article IX, to read as follows:

17 **ARTICLE IX. PUBLIC DISCLOSURE OF BOND-FINANCED PROJECTS.**

18 Section 43.9.1. **PURPOSE.** The purpose of this Article is to establish procedures for
19 the full and adequate disclosure to the public of projects which are to be funded, in whole or in
20 part, with bond proceeds approved by the voters of the City and County of San Francisco (the
21 “City”) in an effort to ensure that the voters are fully informed as to the nature, costs and
22 timing of such projects and to help ensure that the proceeds derived from the issuance and
23 sale of the bonds are expended in accordance with the voters’ authorization.

24 **Section 43.9.2. CONTENTS OF BALLOT MEASURE REQUIRED BY ARTICLE IX.**

25 Any ballot measure, and the voter information pamphlet prepared in connection with such
ballot measure by the Department of Elections in accordance with the San Francisco

- 1 Elections Code, submitted by the Board of Supervisors to the qualified voters of the City
2 authorizing and approving the issuance of bonds shall contain the following:
- 3 **(a)** A description of the project or projects to be financed in part, or in whole, with the bond
4 proceeds.
 - 5 **(b)** The location of the project or projects to be financed in part, or in whole, with the bond
6 proceeds.
 - 7 **(c)** The total projected costs of each project which shall include the costs to be paid from bond
8 proceeds, and the costs, if any, to be paid from other sources of funds.
 - 9 **(d)** The identification of all other sources of funds, if any, which shall be utilized in connection
10 with the implementation, construction or completion of a project or projects.
 - 11 **(e)** The projected completion date for each project, including the order of priority for multiple
12 projects approved and authorized in a single ballot measure.
 - 13 **(f)** The date on which the authority for voter approved bonds expires.

14 Section 43.9.3. PUBLIC ACCESS TO FINANCING PROPOSALS FOR CAPITAL
15 PROJECTS. Any City department, agency, enterprise or commission preparing a report for
16 long-term financing proposals for capital projects in accordance with Section 3.22 of this
17 Administrative Code shall, in addition to the requirements of Section 3.22 of this
18 Administrative Code, file such report with the Clerk of the Board and the Government
19 Documents room of the San Francisco Main Library.

20 Section 43.9.4. OTHER SOURCES OF FUNDS. If other sources of funds are
21 identified for the implementation, construction or completion of a project or projects to be
22 financed in part with voter-approved bonds, such funds must be secured to the project or
23 projects prior to the sale and issuance of any authorized bonds for such project or projects.
24 To the extent such sources of funds cannot be secured, and no alternative sources of funding
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1 can be secured, the project or projects may be modified, to the extent possible, to eliminate
2 the need for the other sources of funds in a manner consistent with the voters' authorization.

3 Section 43.9.5. TRANSFERABILITY OF BOND PROCEEDS. Bonds approved by the
4 voters shall not be used for projects that are inconsistent with the voters' authorization.

5 Section 43.9.6. EXPIRED BONDING AUTHORITY. Authorization for bonds which
6 have not been approved by the Board of Supervisors by the date set forth in the ballot
7 measure submitted to the voters in accordance with Section 43.9.1(f) of this Article shall
8 expire and shall not be issued after said date.

9 Section 43.9.7. ENFORCEMENT. The Office of the Controller shall be responsible for
10 ensuring that the provisions of this Article are met. To the extent any provision of this Article
11 is unclear or ambiguous, such matter will be addressed by action of the Board of Supervisors.

12 Section 43.9. 8. VALIDITY OF THE BONDS. The validity of the authorization and
13 issuance of any bonds is not dependent on and shall not be affected in any way by any failure
14 of the City to provide any information as required by this Article.

15 Section 43.9.9. CONSTRUCTION. The powers conferred by the provisions of this
16 Article are in addition to and supplemental to the powers conferred by the Charter or any other
17 ordinance or law.

18 APPROVED AS TO FORM:
19 LOUISE H. RENNE, City Attorney

20 By: _____
21 Theresa Alvarez
22 Deputy City Attorney

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