

1 Supportive Housing Bonds Special Election.

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3 **Ordinance calling and providing for a special election to be held in the City and County**
4 **of San Francisco (the “City”) on November 2, 2004, for the purpose of submitting to the**
5 **qualified voters of the City a proposition for the issuance of bonds by the City (or one**
6 **of its agencies, departments or enterprises) in the principal amount of Eighty-Five**
7 **Million Dollars (\$85,000,000) to finance the costs of the acquisition, construction and/or**
8 **rehabilitation of supportive housing for qualifying very low income individuals and/or**
9 **families, and authorizing landlords to passthrough fifty percent (50%) of the resulting**
10 **property tax increase to residential tenants in accordance with Chapter 37 of the San**
11 **Francisco Administrative Code ; finding that the estimated cost of the project is and**
12 **will be too great to be paid out of the ordinary annual income and revenue of the City**
13 **and will require expenditures greater than the amount allowed therefor by the annual**
14 **tax levy; reciting the estimated cost of such proposed project; fixing the date of and**
15 **the manner of holding the special election and the procedure for voting for or against**
16 **the proposition; fixing the maximum rate of interest on the bonds and providing for the**
17 **levy and collection of taxes to pay both principal and interest therefor; prescribing**
18 **notice to be given of the special election; finding the proposed project is in conformity**
19 **with the priority policies of Planning Code Section 101.1(b) and with the General Plan**
20 **consistency requirement of Administrative Code Section 2A.53; consolidating the**
21 **special election with the general election to be held on November 2, 2004; establishing**
22 **the election precincts, voting places and officers for the special election; waiving the**
23 **word limitation on ballot propositions imposed by San Francisco Municipal Elections**
24 **Code Section 510; complying with Section 53410 of the California Government Code;**

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1 **incorporating the provisions of Article V of Chapter V of the San Francisco**
2 **Administrative Code, and imposing certain limitations on the use of bond proceeds.**

3 Note: Additions are single underline italics Times New Roman.
4 Deletions are ~~strikethrough italics Times New Roman~~.

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

6 Section 1. A special election is hereby called and ordered to be held in the City and
7 County of San Francisco (the "City") on Tuesday, November 2, 2004, for the purpose of
8 submitting to the qualified voters of the City a proposition to incur bonded indebtedness of the
9 City for the projects hereinafter described in the amount and for the purposes stated:

10 "SUPPORTIVE HOUSING BONDS, 2004. \$85,000,000 to finance the costs of
11 the acquisition, construction and/or rehabilitation of supportive housing for very low income
12 individuals and families."

13 The special election hereby called and ordered shall be referred to herein as the "Bond
14 Special Election."

15 Section 2. The estimated cost of the project described in Section 1 was fixed by the
16 Board of Supervisors of the City (the "Board of Supervisors") by the supportive housing
17 portion of the following resolution in the amount specified below:

18 Resolution No. 433-01, \$85,000,000.

19 Such resolution was passed by two-thirds or more of the members of the Board of
20 Supervisors and approved by the Mayor of the City (the "Mayor"). In such resolution, it was
21 recited and found that the sum of money specified is too great to be paid out of the ordinary
22 annual income and revenue of the City in addition to the other annual expenses thereof or
23 other funds derived from taxes levied for those purposes and will require expenditures greater
24 than the amount allowed therefor by the annual tax levy.

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1 The method and manner of payment of the estimated costs described herein are by the
2 issuance of bonds of the City not exceeding the principal amount specified in Resolution No.
3 433-01; provided however, that the indebtedness authorized thereunder and hereunder
4 (\$85,000,000) shall be allocated (less allocable issuance costs) to the acquisition,
5 construction, rehabilitation of supportive housing, such housing to be made available for
6 qualifying very low income individuals and/or families, including homeless individuals or
7 families or persons at risk of becoming homeless.

8 Such estimate of costs as set forth in Resolution No. 433-01 is hereby adopted and
9 determined to be the estimated cost of such improvements and the financing.

10 Section 3. The Bond Special Election shall be held and conducted and the votes
11 thereafter received and canvassed, and the returns thereof made and the results thereof
12 ascertained, determined and declared as herein provided, and in all particulars not herein
13 recited such election shall be held and the votes canvassed according to the applicable laws
14 of the State of California and the Charter of the City (the "Charter") and any regulations
15 adopted pursuant thereto, providing for and governing elections in the City, and the polls for
16 such election shall be and remain open during the time required by the laws and regulations.

17 Section 4. The Bond Special Election hereby called shall be and hereby is
18 consolidated with the General Election of the City to be held Tuesday, November 2, 2004, and
19 the voting precincts, polling places and officers of election for the General Election are hereby
20 adopted, established, designated and named, respectively, as the voting precincts, polling
21 places and officers of elections for the Bond Special Election hereby called, and reference is
22 hereby made to the notice of election setting forth the voting precincts, polling places and
23 officers of election for the November 2, 2004 General Election by the Director of Elections to
24 be published in the official newspaper of the City on the date required under the laws of the
25 State of California.

1 Section 5. The ballots to be used at the Bond Special Election shall be the ballots to
2 be used at the General Election. The word limit for ballot propositions imposed by San
3 Francisco Municipal Code Elections Section 510 is hereby waived. On the ballots to be used
4 at the Bond Special Election, in addition to any other matter required by law to be printed
5 thereon, shall appear the following proposition:

6 "SUPPORTIVE HOUSING BONDS, 2004. Shall the City and County of San
7 Francisco (or one of its agencies, departments or enterprises) issue bonds, notes and/or other
8 forms of financing in a principal amount not to exceed \$85,000,000, to finance the costs of the
9 acquisition, construction and/or rehabilitation of supportive housing for qualifying very low
10 income individuals and/or families, and authorize landlords to passthrough to residential
11 tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the
12 "Residential Rent Stabilization and Arbitration Ordinance") 50% of the increase in the real
13 property taxes attributable to the cost of repayment of the bonds?"

14 Each voter to vote for the proposition hereby submitted shall mark the ballot in the
15 location corresponding to a "YES" vote for the proposition, and to vote against the proposition
16 shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

17 Section 6. If at the Bond Special Election it shall appear that two-thirds of all the voters
18 voting on the proposition voted in favor of and approving the proposition, then such
19 proposition shall have been authorized by the electors, and bonds may be issued and sold for
20 the purposes, and up to the amount, set forth above upon the order of the Board of
21 Supervisors. Such bonds shall not bear interest at a rate or rates exceeding applicable legal
22 limits.

23 The vote cast for and against the proposition shall be counted separately and when
24 two-thirds of the qualified electors, voting on the proposition, vote in favor thereof, the
25 proposition shall be deemed adopted.

1 Section 7. For the purpose of paying the principal of and interest on the bonds and any
2 premiums upon the redemption thereof, the Board of Supervisors, at the time of fixing and in
3 the manner for the general tax levy provided, shall levy and collect annually each year until
4 the bonds are paid, or until there is a sum in the Treasury of the City, or account held on
5 behalf of the Treasurer of the City, set apart for that purpose to meet all sums coming due for
6 the principal of and interest on the bonds, a tax sufficient to pay the annual interest on the
7 bonds as the same becomes due and also any part of the principal of the bonds that shall
8 become due before the proceeds of a tax levied at the time for making the next general tax
9 levy can be made available for the payment of the principal.

10 Section 8. The Board of Supervisors having reviewed the proposed legislation, finds
11 and declares (i) That the proposed project is in conformity with the priority policies of Section
12 101.1(b) of the City Planning code and (ii) in accordance with Section 2A.53(f) of the City
13 Administrative Code, that the proposed project is consistent with the City's General Plan, and
14 hereby adopts the findings of the City Planning Department, as set forth in the General Plan
15 Referral Report dated May 21, 2004 and incorporates said findings by reference.

16 Section 9. Pursuant to Section 53410 of the California Government Code, the bonds
17 shall be for the specific purpose authorized herein and the proceeds of such bonds will be
18 applied only to the project described herein. The City and County will comply with the
19 requirements of Sections 53410(c) and 53410(d) of the California Government Code.

20 Section 10. Pursuant to Proposition F approved by the voters of the City and County in
21 November 2001, the bonds are subject to, and incorporate by reference, the provisions of
22 Article V of Chapter 5 of the Administrative Code of the City and County ("Proposition F
23 Requirements"). Pursuant to Proposition F Requirements, to the extent permitted by law,
24 one-tenth of one percent (0.1%) of the gross proceeds of Supportive Housing Bonds shall be
25 deposited in a fund established by the Controller's Office and appropriated by the Board of

1 Supervisors at the direction of the Citizen’s General Obligation Bond Oversight Committee
2 established by Proposition F Requirements to cover the costs of said committee.

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

6 Section 12. The appropriate officers, employees, agents and representatives of the
7 City and County of San Francisco are hereby authorized and directed to do everything
8 necessary or desirable to the calling and holding of the Special Election, and to otherwise
9 carry out the provisions of this ordinance.

10 Section 13. Loans or grants funded by the proceeds of these bonds shall require that
11 all contracts funded by bond funds be awarded through an open and competitive selection
12 process. The selection process shall be competitive bids, competitive request for
13 qualifications, or other competitive process, that are (a) consistent with industry standards for
14 obtaining services and (b) appropriate for services being procured. Sole source contracting
15 shall not be permitted; provided however, if the Mayor of the City makes a finding that only
16 one source exists for a product or service, this provision may be waived by the Mayor. Any
17 such waiver shall be reported to the Board of Supervisors in the annual report.

18 Section 14. To the maximum extent feasible, projects funded with the proceeds of
19 these bonds shall be required to obtain funding from non-City sources for a substantial portion
20 of the cost of the project. Priority shall be given to projects that provide a high degree of
21 leveraging of outside funds. The Mayor’s Office of Housing shall include an analysis of the
22 leveraging of outside funds for each project in its annual report to the Board of Supervisors.

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1 Section 15. No proceeds of these bonds or program income generated from any
2 bond-funded projects shall be used for lobbying elected officials or for any other political
3 purposes.

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6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

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By: _____
Mark D. Blake
Deputy City Attorney

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