

File No. 111103

Committee Item No. 2
Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: November 2, 2011

Board of Supervisors Meeting

Date Nov. 15, 2011

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
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OTHER

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Completed by: Victor Young

Date: October 28, 2011

Completed by: Victor Young

Date: 11-3-11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[De-Appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds from Various Voter-Approved Projects and Re-Appropriating to Other Voter-Approved Projects]

Ordinance de-appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific voter-approved projects and re-appropriating \$17,080,000 to other, voter-approved projects.

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. The uses of funding outlined below are herein de-appropriated to reflect the funding available for FY 2011-2012.

Uses De-Appropriation

Fund	Index/ Project	Subobject	Description	Amount
3C RPF 08B	REC3CRPF08B	06C00	Park Playfields	\$4,114,035
Recreation & Park Capital	CRPCSP PF0001		Repairs and	
Impvts Fund			Reconstruction	
3C RPF 08A	REC3CRPF08A	06C00	Park Playfields	\$3,585,965
Recreation & Park Capital	CRPCSP PF0001		Repairs and	
Impvts Fund			Reconstruction	

	Fund	Index/ Project	Subobject	Description	Amount
1					
2	3C RPF 08B	REC3CRPF08B	06C00	Park Trail	\$1,910,000
3	Recreation & Park Capital	CRPCSP PT0001		Reconstruction	
4	Impvts Fund				
5					
6	3C RPF 08A	REC3CRPF08A	06C00	Chinese Recreation	\$1,510,000
7	Recreation & Park Capital	CRPCSP NPCR01		Center	
8	Impvts Fund				
9					
10	3C RPF 08B	REC3CRPF08B	06C00	Mission Dolores	\$1,480,000
11	Recreation & Park Capital	CRPCSP NPMD01		Park	
12	Impvts Fund				
13					
14	3C RPF 08B	REC3CRPF08B	06C00	Park Forestry	\$1,200,000
15	Recreation & Park Capital	CRPCSP NPMD01			
16	Impvts Fund				
17					
18	3C RPF 08C	REC3CRPF08C	06C00	McCoppin Square	\$1,071,117
19	Recreation & Park Capital	CRPCSP NPMS01		Renovation	
20	Impvts Fund				
21					
22	3C RPF 08A	REC3CRPF08A	06C00	Park Forestry	\$770,000
23	Recreation & Park Capital	CRPCSP FR0001			
24	Impvts Fund				
25					

	Fund	Index/ Project	Subobject	Description	Amount
1					
2	3C RPF 08A	REC3CRPF08A	06C00	Community	\$600,000
3	Recreation & Park Capital	CRPCSP CO0001		Opportunity Fund	
4	Impvts Fund				
5					
6	3C RPF 08A	REC3CRPF08A	06C00	McCoppin Square	\$428,883
7	Recreation & Park Capital	CRPCSP NPMS01		Renovation	
8	Impvts Fund				
9					
10	3C RPF 08B	REC3CRPF08B	06C00	Glen Canyon Park	\$410,000
11	Recreation & Park Capital	CRPCSP NPGC01		Renovation	
12	Impvts Fund				
13					
14	Total USES De-Appropriation				\$17,080,000

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16 Section 2. The uses of funding outlined below are herein appropriated in Subobject

17 06700 (Bldgs, Structures and Imprv't Project-Budget) to support increased expenditures

18 during Fiscal Year 2011-2012 for neighborhood park projects Palega Recreation Center,

19 Fulton Playground Renovation, and Mission Playground. Additional funds support increased

20 expenditures in the Neighborhood Park Contingency Project for Fiscal Year 2011-2012.

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1 **USES Re-Appropriation**

2	Fund	Index/ Project	Subobject	Description	Amount
3	3C RPF 08B	REC3CRPF08B	06700	Palega Recreation	\$9,114,035
4	Recreation & Park Capital	CRPCSP NPPR01		Center	
5	Impvts Fund				
6					
7	3C RPF 08A	REC3CRPF08A	06700	Palega Recreation	\$3,214,848
8	Recreation & Park Capital	CRPCSP NPPR01		Center	
9	Impvts Fund				
10					
11	3C RPF 08A	REC3CRPF08A	06700	Fulton Playground	\$3,130,000
12	Recreation & Park Capital	CRPCSP NPFL01		Renovation	
13	Impvts Fund				
14					
15	3C RPF 08C	REC3CRPF08C	06700	Neighborhood Park	\$900,000
16	Recreation & Park Capital	CRPCSP NPRS01		Contingency	
17	Impvts Fund				
18					
19	3C RPF 08A	REC3CRPF08A	06700	Mission Playground	\$550,000
20	Recreation & Park Capital	CRPCSP NPMX01			
21	Impvts Fund				
22					
23	3C RPF 08C	REC3CRPF08C	06700	Palega Recreation	\$171,117
24	Recreation & Park Capital	CRPCSP NPPR01		Center	
25	Impvts Fund				

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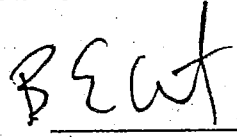
Total USES Re-Appropriation

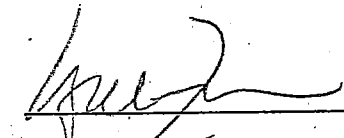
\$17,080,000

Section 3. The Controller is hereby authorized to adjust and apply transfers to reflect the changed expenditure authority contained in this ordinance.

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

FUNDS AVAILABLE
Ben Rosenfield, Controller

By: 
Deputy City Attorney

By: 
Date: October 7, 2011

Item 2
File 11-1103

Department(s):
 Recreation and Park Department (RPD)

EXECUTIVE SUMMARY

Legislative Objective

- The proposed ordinance would re-appropriate \$17,080,000 from eight 2008 Clean and Safe Neighborhood Parks General Obligation Bond capital-improvement projects which presently have a short-term surplus and re-appropriate the \$17,080,000 to four other, Clean and Safe Neighborhood Parks General Obligation Bond capital improvement projects.

Key Points

- On February 5, 2008, San Francisco voters approved Proposition A, the 2008 Clean and Safe Neighborhood Parks Bond measure, authorizing the issuance of up to \$185,000,000 in General Obligation Bonds to fund capital improvement projects for its San Francisco's Recreation and Park Department (RPD) facilities as well as for the Port's waterfront facilities.
- To date, the Board of Supervisors has approved the issuance and appropriation of a total of \$102,950,000 from the 2008 Clean and Safe Neighborhood Parks General Obligation Bonds, including \$88,571,622 for the RPD and \$14,378,378 for the Port.
- The Port has a pending third issuance of \$19,121,621 from the 2008 Clean and Safe Neighborhood Parks Bond measure. RPD also anticipates a fourth issuance of General Obligation Bonds in the amount of \$62,928,379 to be sold in March, 2012. Both issuances will be subject to approval by the Board of Supervisors.

Fiscal Analysis

- When the proceeds from a future planned fourth issuance of the 2008 Clean and Safe Neighborhood Parks General Obligation Bonds in the amount of \$62,928,379 are appropriated, subject to Board of Supervisors approval, RPD intends to utilize \$14,070,000 to \$14,580,000 of that pending fourth bond issuance for appropriating back to seven of the eight same RPD capital improvement projects which presently have short-term surpluses.
- The remaining \$2,500,000 to \$3,010,000, of the subject proposed re-appropriation of \$17,080,000 in funds which is requested to be re-appropriated under the proposed ordinance are estimated to remain surplus funds because of anticipated project cost savings. RPD intends to continue to accumulate project savings from the specified voter-approved Neighborhood Parks capital-improvement projects in the Neighborhood Parks Contingency Fund while ensuring that the defined voter-approved Neighborhood Parks capital-improvement projects are completed.

Recommendation

- Approve the proposed ordinance.

MANDATE STATEMENT / BACKGROUND

Mandate Statement

Charter Section 9.105 requires that amendments to the annual appropriation ordinance be approved by ordinance of the Board of Supervisors, subject to the Controller certifying the availability of funds.

Background

On February 5, 2008, San Francisco voters approved Proposition A, the 2008 Clean and Safe Neighborhood Parks Bond measure, authorizing the issuance of up to \$185,000,000 in General Obligation Bonds to fund a capital plan targeting critical needs in San Francisco's Recreation and Park Department (RPD) facilities as well as for the Port's waterfront facilities. This bond included the following programs, totaling \$185,000,000: \$117,400,000 for seismic work, landscaping, and improved disability access for Neighborhood Parks (including a \$4,715,000 Neighborhood Park Program Contingency Fund)¹, \$33,500,000 for creation of Port Waterfront Parks and repair of seawalls, \$11,400,000 for Park restroom replacement, \$8,500,000 for renovation of Park Playfields, \$5,000,000 for restoration of Park Trails, \$5,000,000 for a Community Opportunity Fund to finance completion of community-nominated Recreation and Park projects, \$4,000,000 for Park Forestry projects, and \$200,000 for a citizen's oversight audit of the program.

In August of 2008, the Board of Supervisors approved the sale of the first 2008 Clean and Safe Neighborhood Parks General Obligation Bonds in the amount of \$42,520,000 (Resolution No. 342-08). On October 21, 2008, the Board of Supervisors appropriated a total of \$38,843,054 to the RPD and \$3,676,946 to the Port from this first Bond sale, or a total of \$40,520,000, to commence capital improvement projects approved by the voters in the Bond (Ordinance 231-08). Of the total \$40,520,000 appropriated², the Board of Supervisors placed \$22,163,200 on reserve, pending RPD and the Port finalizing expenditure plans for these funds.

On February 9, 2010, the Board of Supervisors approved the issuance of an additional \$60,430,000 of General Obligation Bonds (Resolution 45-10). Earlier, as part of the FY 2009-2010 Budget for the RPD and the Port, the Board of Supervisors appropriated a total of \$49,728,568 to the RPD and \$10,701,432 to the Port from the \$60,430,000 future anticipated Bond issuance, but placed all funds on reserve contingent upon the actual sale of these bonds (which then occurred in March of 2010). According to Ms. Cindy Czerwin, Budget Manager in

¹ Prior to the drafting of the 2008 Clean and Safe Neighborhood Parks Bond measure, RPD engaged stakeholders in a year-long evaluation of neighborhood parks in which the needed capital work was scoped and estimated, and each neighborhood park was rated according to agreed-upon criteria. The top 12 criteria rated neighborhood parks were identified in the bond ballot language, including (a) Chinese Recreation Center, (b) Mission Playground, (c) Palega Playground, (d) Cayuga Playground, (e) McCoppin Playground, (f) Sunset Playground, (g) Fulton Playground, (h) Mission Dolores Park, (i) Cabrillo Playground, (j) Glen Canyon Park, (k) Lafayette Park, and (l) Kimbell Playground. The bond ballot language also stated that if there are savings from those 12 park projects, at the time of the award of the construction agreement for the 12th project on the criteria list, the savings would be applied to the next park projects on the criteria ratings list, in order, whose repairs/renovations can be completed with available remaining funds, plus any community matching funds secured and readily available for the project.

² According to Ms. Dawn Kamalanathan, Capital Manager at the RPD, the Board of Supervisors appropriated \$2,000,000 of the first Bond sale in the FY 2008-2009 Annual Appropriation Ordinance approved on July 29, 2008.

the Controller's Office, all funds related to the 2008 Clean and Safe Neighborhood Parks Bond have been released from reserve as of October 24, 2011.

Of the total \$185,000,000 approved by the San Francisco voters, to date, a total of \$102,950,000 of the 2008 Clean and Safe Neighborhood Parks General Obligation Bonds have been sold and the Board of Supervisors has appropriated the entire \$102,950,000, including \$88,571,622 appropriated to the RPD and \$14,378,378 appropriated to the Port.

According to Ms. Taylor Emerson, Analyst for the Capital Planning Division at RPD the Port has recently requested a third issuance for \$19,121,621 from the 2008 Clean and Safe Neighborhood Parks General Obligation Bond measure, which will be subject to Board of Supervisors approval. According to Mr. Anthony Ababon, Bond Associate with the Office of Public Finance, the third issuance's sale date is uncertain but is anticipated to occur by January, 2012. Ms. Emerson advises that RPD also anticipates a fourth and final General Obligation Bond issuance in the amount of \$62,928,379 to be sold in approximately March, 2012, which will also be subject to approval by the Board of Supervisors, resulting in the total issuance of \$185,000,000 of the 2008 Clean and Safe Neighborhood Parks General Obligation Bonds.

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would, as shown in Table 1 below, re-appropriate \$17,080,000 of proceeds from eight specific capital improvement projects, funded with 2008 Clean and Safe Neighborhood Parks General Obligation Bonds, which according to Ms. Emerson, are currently projected to have short-term surplus balances. The \$17,080,000 would be re-appropriated for four other 2008 Clean and Safe Neighborhood Parks Bond capital improvement projects as shown in Table 2 below.

Table 1: Funds To Be Re-appropriated, From Eight Projects Having Short-Term Surplus Balances Available at This Time To Four Other Capital Improvement Projects Listed in Table 2 Below			
	Total Currently Appropriated	Short-Term Surplus Funding To Be Re-appropriated	Total Remaining Funding Under Proposed Ordinance
Chinese Recreation Center ³	\$14,200,000	(\$1,510,000)	\$12,690,000
Mission Dolores Park ⁴	2,418,400	(1,480,000)	938,400
McCoppin Playground ⁵	5,300,000	(1,500,000)	3,800,000
Glen Canyon Park ⁶	1,191,500	(410,000)	781,500
Playfields ⁷	8,500,000	(7,700,000)	800,000
Forestry ⁸	3,200,000	(1,970,000)	1,230,000
Trails ⁹	4,000,000	(1,910,000)	2,090,000
Community Opportunity Fund ¹⁰	2,000,000	(600,000)	1,400,000
Total De-Appropriated Under Proposed Ordinance	\$40,809,900	(\$17,080,000)	\$23,729,900

³ Chinese Recreation Center is currently under construction and is expected to be open to the public in May, 2012. RPD expects to achieve \$1,000,000 to \$1,510,000 in savings on the project, depending on final construction costs.

⁴ Mission Dolores Park is currently in the planning process, which is scheduled to conclude in December, 2011. This project has been delayed in order to assemble a design team that includes a private consultant for planning and outreach and the Department of Public Works completing the necessary design and contract documents. This delay has resulted in a short-term surplus of funds totaling \$1,480,000 which RPD does not anticipate needing until after the Spring of 2012, when the fourth issuance and appropriation of General Obligation Bonds would be available.

⁵ McCoppin Playground was completed and opened to the public on October 22, 2011, with \$1,500,000 in savings.

⁶ Glen Canyon Park had an extended public planning process, which lasted longer than anticipated, such that the project is just entering the design phase now, which is later than originally scheduled. Therefore, there is a short-term surplus of funds totaling \$410,000, which RPD does not anticipate needing until after the spring of 2012 when the fourth issuance and appropriation of General Obligation Bond funds would be available.

⁷ The Playfields project is currently on hold while an Environmental Impact Report (EIR) is conducted, with an estimated completion date of May, 2011. Because completion of an EIR was not originally anticipated, construction on this project is now delayed. Therefore, the project has a short-term surplus of funds totaling \$7,700,000 which RPD does not anticipate needing until after the spring of 2012, when the fourth issuance and appropriation of General Obligation Bonds would be available.

⁸ The Forestry project has been delayed due to contractor delays and has a short-term surplus of funds totaling \$1,970,000 which RPD does not anticipate needing until after the spring of 2012, when the fourth issuance and appropriation of General Obligation Bonds would be available.

⁹ The Trails project is currently underway, with smaller, less complicated trail construction completed and the next set of three trails currently in the design phase. Construction on the second set of three trails is expected to begin in April, 2011, such that the project has a short-term surplus of funds totaling \$1,910,000 which RPD does not anticipate needing until after the spring of 2012, when the fourth issuance and appropriation of General Obligation Bond funds would be available.

¹⁰ The Community Opportunity Fund has had extensive community process delays and therefore has not awarded all the funding it had originally planned and currently has a short-term surplus of funds totaling \$600,000 which RPD does not anticipate needing until after the spring of 2012, when the fourth issuance and appropriation of General Obligation Bonds would be available.

Table 2: Summary of Funds To Be Re-appropriated From Eight Other Projects Listed in Table 1 Above

Project	Total Currently Appropriated	Funding Re-appropriated under proposed ordinance	Total Appropriated Under Proposed Ordinance
Palega Playground ¹¹	\$3,719,800	\$12,500,000	\$16,219,800
Fulton Playground ¹²	1,300,600	3,130,000	4,430,600
Mission Playground ¹³	2,418,400	550,000	2,968,400
Neighborhood Park Program Contingency ¹⁴	2,326,674	900,000	3,226,674
Total	\$9,765,474	\$17,080,000	\$26,845,474

FISCAL ANALYSIS

The requested \$17,080,000 would be re-appropriated from eight RPD capital improvement projects, which currently have short-term surplus monies available, as shown in Table 1 above, to four other capital improvement projects shown in Table 2 above. However, when the proceeds from a future planned fourth issuance of the 2008 Clean and Safe Neighborhood Parks General Obligation Bonds, in the amount of \$62,928,379, are appropriated, subject to Board of Supervisors approval, Ms. Emerson advises that, as shown in Table 3 below, RPD intends to utilize \$14,070,000 to \$14,580,000 of the pending the fourth bond issuance totaling \$62,928,379 for appropriations back to seven out of the eight same RPD capital improvement projects, identified in Table 1 above. While seven capital improvement projects have short term surpluses which are not needed at this time, RPD estimates a future need of \$14,070,000 to \$14,580,000 for re-appropriation back to seven of the eight projects listed in Table 3 below.

¹¹ The Palega Playground project staff is preparing the construction documents, with the bids to be issued on October 27, 2011, with a contract award anticipated by the end of December, 2011. The proposed re-appropriation of \$12,500,000 would be used to fund the contract award, once an agreement is finalized.

¹² The construction bids for the Fulton Playground project were issued on July 25, 2011 and received on August 24, 2011. On October 5 2011, the Recreation and Park Commission authorized the General Manager of RPD to negotiate with CLW Builders, Inc, the sole responsive bidder, such that construction is anticipated to begin on December 2, 2011. The \$3,130,000 would be used to fund the contract award, once the agreement is finalized.

¹³ The Mission Playground project has encountered significant unforeseen site conditions, mostly related to the pool on its grounds and water damage to the building's foundation. An additional \$550,000 is estimated to be needed to provide chemical grouting for soil improvement beneath the Mission Clubhouse and Pool Buildings.

¹⁴ According to Ms. Emerson, RPD is requesting that \$900,000 be re-appropriated to the Neighborhood Park Program Contingency, to allow for flexibility in funding as needed for the specified neighborhood park projects. According to the 2008 Clean and Safe Neighborhood Parks Bond Report, any Neighborhood Park projects that require less funding than the amount set aside in the bond or acquire additional revenue from other sources shall move any surplus funds to the Neighborhood Parks Program Contingency Fund. Any remaining funds in the Neighborhood Parks Program Contingency Fund at the time of the award of the construction agreement for the 12th project on the criteria list will be made available to the next highest scoring project or projects that can be completed with available remaining funds, plus any community matching funds secured and readily available for those projects. The current balance in the Neighborhood Parks Program Contingency Fund is \$2,275,829, with \$0 having been expended to date.

Table 3: Estimated Range of Funding From the Pending Fourth Bond Issuance Totaling \$62,928,379 that Would Need to be Appropriated Back to Seven of the Eight Projects Listed in Table 1 Above		
	Low	High
Chinese Recreation Center	\$0	\$510,000
Mission Dolores Park	1,480,000	1,480,000
Glen Canyon Park	410,000	410,000
Playfields	7,700,000	7,700,000
Forestry	1,970,000	1,970,000
Trails	1,910,000	1,910,000
Community Opportunity Fund	600,000	600,000
Total	\$14,070,000	\$14,580,000

The remaining \$2,500,000 to \$3,010,000 of the subject proposed re-appropriation of \$17,080,000 is estimated to remain surplus funds because of anticipated project cost savings and would be available for other RPD park capital improvement projects, included in the 2008 Clean and Safe Neighborhood Parks General Obligation Bond, which have additional funding needs.¹⁵ According to Ms. Emerson, RPD's intention is to accumulate any savings from the defined voter-approved Neighborhood Parks capital-improvement projects in the Neighborhood Parks Program Contingency Fund while ensuring that the defined voter-approved Neighborhood Parks capital-improvement projects are completed. Ms. Emerson advises that RPD plans to revisit the scope and budget of the other capital-improvement projects on RPD's criteria ratings list to assess what remaining savings can be applied to those capital-improvement projects after the first 12 construction agreements have been awarded. In accordance with the 2008 Clean and Safe Neighborhood Parks General Obligation Bond measure, those savings would be used to fund RPD park capital improvement projects with the next highest score on the criteria ratings list whose repairs/renovations can be completed with available remaining funds, plus any community matching funds secured and readily available for that project. According to the 2008 Clean and Safe Neighborhood Parks Bond Report, the next five parks on the criteria list are (1) Allyn Park, (2) Midtown Terrace Playground, (3) Balboa Park and Pool, (4) Richmond Playground, and (5) Willie Wong Playground. All 12 projects' construction agreements are estimated to be awarded by October, 2012.

Therefore, the proposed ordinance would continue to adhere to the bond measure language as approved by San Francisco voters in the 2008 Clean and Safe Neighborhood Parks Bond measure.

¹⁵ \$1,000,000 to \$1,510,000 in project savings from the Chinese Recreation Center project is anticipated upon completion of the project in May, 2012. An additional \$1,500,000 in project savings from the McCoppin Playground, which re-opened on October 22, 2011, will not be needed.

RECOMMENDATION

Approve the proposed ordinance.

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: *for* Mayor Edwin M. Lee *JE*
RE: De-appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood
Parks Bond proceeds from various, voter-approved projects and re-
appropriating to other voter-approved projects
DATE: October 18, 2011

Attached for introduction to the Board of Supervisors is the ordinance de-appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific, voter-approved projects, and re-appropriating \$17,080,000 to other, voter-approved projects.

I request that this item be calendared in Budget and Finance Committee

Should you have any questions, please contact Jason Elliott (415) 554-5105.