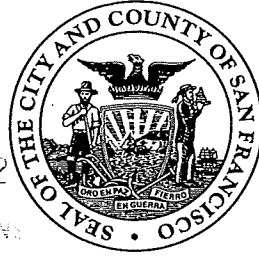


SAN FRANCISCO  
FILED  
BOARD of SUPERVISORS

2018 JUL 27 AM 11:22

DEPARTMENT OF ELECTIONS



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

July 27, 2018

John Arntz, Director of Elections  
Department of Elections  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102

**HAND DELIVERED**

Dear Mr. Arntz:

Please find attached four (4) certified copies each of the following General Obligation Bond Ordinances for the November 6, 2018, Ballot as follows:

**File No. 180454 General Obligation Bond Election - Seawall and Other Critical Infrastructure - \$425,000,000**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2018, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$425,000,000 to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, 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; affirming the Planning Department's determination under the California Environmental Quality Act, and 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; 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.

The Board of Supervisors Finally Passed the above listed General Obligation Bond Ordinance on June 26, 2018; and the Mayor approved and signed on June 28, 2018.

**File No. 180571 General Obligation Bond Election - Seawall and Other Critical Infrastructure - Ballot Question**

Ordinance adopting a question to appear on the November 6, 2018 ballot regarding the proposed ordinance to incur \$425,000,000 of bonded debt of the City and County to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, and related costs necessary or convenient for the foregoing purposes.

The Board of Supervisors Finally Passed the above listed General Obligation Bond Ordinance on July 24, 2018; and the Mayor approved and signed on July 26, 2018.

The electronic version of this Charter Amendment was e-mailed to your office at [publications@sfgov.org](mailto:publications@sfgov.org) on July 27, 2018.

Sincerely,



fr Angela Calvillo  
Clerk of the Board

(Attachments)

SAF FRANCHISE  
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DEPARTMENT OF ELECTIONS



## ACKNOWLEDGEMENT OF RECEIPT

**Submission of Measures: Charter Amendments / Bonds** (CIRCLE ONE)

**General Obligation Bond Election - Seawall and Other Critical Infrastructure -  
\$425,000,000**

(Board File Nos. 180454 & 180571)

(Unofficial Title of Measure)

- 1)  Board of Supervisors
- 2)  Tails
- 3)  Legislative Digest
- 4) ELECTRONIC COPY OF TEXT
  - EMAIL- [publications@sfgov.org](mailto:publications@sfgov.org)

- 5) Contact Person: Alisa Somera  
Address: 1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
Phone: (415) 554-7711

Date: July 27, 2018

Submitted By: Alisa Somera

Handwritten signature of Alisa Somera in black ink.

(sign)

6) COPIES

- John Arntz- Director of Elections, in consultation with the City Attorney, shall forward the measure (within two working days after receipt of the petition) to departments that are effected by the measure.
- Publications
- Public- copy
- Office- original

SAN FRANCISCO  
FILED  
2018 JUL 27 AM 11:22  
DEPARTMENT OF ELECTIONS



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Certified Copy  
Ordinance

SAN FRANCISCO  
FILED  
2018 JUL 27 AM 11:23  
DEPARTMENT OF ELECTIONS

180454 [ General Obligation Bond Election - Seawall and Other Critical Infrastructure - \$425,000,000 ]

**Sponsors:** Mayor; Breed, Cohen, Kim, Peskin, Sheehy, Yee, Safai and Tang

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2018, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$425,000,000 to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, 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; affirming the Planning Department's determination under the California Environmental Quality Act, and 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; 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.

6/12/2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

6/12/2018 Board of Supervisors - CONTINUED AS AMENDED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

6/19/2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

6/26/2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

6/28/2018 Mayor - APPROVED

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

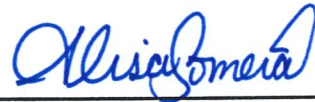
I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 26, 2018

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Date



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fr Angela Calvillo  
Clerk of the Board

1 [General Obligation Bond Election - Seawall and Other Critical Infrastructure - \$425,000,000]

2  
3 **Ordinance calling and providing for a special election to be held in the City and County**  
4 **of San Francisco on Tuesday, November 6, 2018, for the purpose of submitting to**  
5 **San Francisco voters a proposition to incur the following bonded debt of the City and**  
6 **County: \$425,000,000 to finance the construction, reconstruction, acquisition,**  
7 **improvement, demolition, seismic strengthening and repair of the Embarcadero**  
8 **Seawall and other critical infrastructure, and related costs necessary or convenient for**  
9 **the foregoing purposes; authorizing landlords to pass-through 50% of the resulting**  
10 **property tax increase to residential tenants in accordance with Administrative Code,**  
11 **Chapter 37; finding that the estimated cost of such proposed project is and will be too**  
12 **great to be paid out of the ordinary annual income and revenue of the City and County**  
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**  
15 **election and the manner of holding such election and the procedure for voting for or**  
16 **against the proposition; fixing the maximum rate of interest on such bonds and**  
17 **providing for the levy and collection of taxes to pay both principal and interest;**  
18 **prescribing notice to be given of such election; affirming the Planning Department's**  
19 **determination under the California Environmental Quality Act, and finding that the**  
20 **proposed bond is in conformity with the eight priority policies of Planning Code,**  
21 **Section 101.1(b), and with the General Plan; consolidating the special election with the**  
22 **general election; establishing the election precincts, voting places and officers for the**  
23 **election; waiving the word limitation on ballot propositions imposed by Municipal**  
24 **Elections Code, Section 510; complying with the restrictions on the use of bond**  
25 **proceeds specified in California Government Code, Section 53410; incorporating the**

1 provisions regarding the Citizens' Bond Oversight Committee in Administrative Code,  
2 Sections 5.30-5.36; and waiving the time requirements specified in Administrative  
3 Code, Section 2.34.

4 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
5 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
6 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
7 **Board amendment additions** are in Arial font.  
8 **Board amendment deletions** are in ~~Arial font~~.  
9 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
subsections or parts of tables.

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

11 Section 1. Findings.

- 12 a. The Embarcadero Seawall (the "Seawall"), which serves as the foundation of the  
13 northern waterfront, is one of San Francisco's oldest pieces of infrastructure.
- 14 b. Constructed by the State of California over one hundred years ago, the Seawall  
15 supports San Francisco's historic piers, wharves, local businesses, maritime uses, iconic tourist  
16 destinations, recreation facilities, and restaurants, which bring an estimated 24 million people  
17 to the waterfront annually.
- 18 c. The Seawall also supports key lifeline utility networks and infrastructure, including  
19 the Bay Area Rapid Transit (BART), Muni Metro, and ferry transportation networks.
- 20 d. The Seawall serves as a critical emergency response, evacuation and recovery  
21 area and provides flood protection to downtown San Francisco ("City") neighborhoods. All told,  
22 the Seawall protects over \$100 billion of assets and economic activity.
- 23 e. The Seawall is a contributing resource to the Embarcadero Historic District listed  
24 on the National Register of Historic Places.

1 f. Recent analysis by the City and the Port of San Francisco (the "Port") found that  
2 the Seawall will likely suffer significant damage during a major earthquake, causing widespread  
3 harm to the Embarcadero; historic buildings and piers; critical transportation, utility, and  
4 emergency response infrastructure; and the residents, workers, and visitors who depend on  
5 them. A major earthquake would likely cause the Seawall to move towards the bay, potentially  
6 by as much as five feet. This seismic risk is compounded by the accelerating risk of flooding,  
7 which occurs today during high tides and larger storm events.

8 g. The Seawall is named as a critical infrastructure priority in the City's Lifelines  
9 Interdependency Study published in 2014, and the Bond (as defined below) is planned for the  
10 November 2018 election as part of the General Obligation Bond Program in the City's FY 2018-  
11 27 Capital Plan.

12 h. The Embarcadero Roadway encircles downtown San Francisco. After a major  
13 seismic event, up to 250,000 people are expected to exit downtown towards the waterfront.  
14 The Embarcadero must provide access to first responders, safe locations for people exiting  
15 downtown, and routes for transporting emergency supplies and equipment.

16 i. To address earthquake and flood risks to the Seawall, the Port is leading the  
17 Seawall Earthquake Safety and Disaster Prevention Program ("Seawall Program"), a program  
18 that will invest a projected \$2-5 billion over the next three decades to protect the San Francisco  
19 waterfront from imminent seismic risk and increasing flood risk due to sea level rise.

20 j. This Board of Supervisors (this "Board") recognizes the need to improve the  
21 earthquake safety and performance of the Seawall and other critical infrastructure, provide  
22 near-term flood protection improvements, and plan for long-term resilience and sea level rise  
23 adaptation along this important stretch of the City's waterfront.

24 k. The Seawall Earthquake Safety Bond (the "Bond") will provide funding to the  
25 Seawall Program and other critical infrastructure (as described below in Section 3).



1           l.       The Bond sets up a financing mechanism to be used for certain kinds of work,  
2 and specific projects at specified locations will not be determined until additional design and  
3 budget development, as well as further planning and environmental review processes, are  
4 complete.

5           m.       The Port, in consultation with the Board, will work with City transportation planners  
6 and conduct public outreach to determine the most financially feasible approaches to  
7 construction on the Seawall that minimize disruption along the Embarcadero.

8           n.       At one or more hearings of the Historic Preservation Commission, the Port, in  
9 consultation with seismic and structural engineers, will analyze preferred alternatives for  
10 Seawall construction that minimize impact to the San Francisco Bay and preserve historic  
11 assets to the fullest extent possible.

12           o.       This Board now wishes to describe the terms of a ballot measure seeking approval  
13 for the issuance of general obligation bonds to finance all or a portion of the City's Seawall and  
14 other critical infrastructure needs as described below.

15           Section 2.   A special election is called and ordered to be held on Tuesday, November  
16 6, 2018, for the purpose of submitting to the electors of the City a proposition to incur bonded  
17 indebtedness of the City for the project described in the amount and for the purposes stated:

18           "SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018. \$425,000,000 of  
19 bonded indebtedness to help finance the overall cost of the Seawall Program, including:  
20 repairing and upgrading the City's 100 year old Embarcadero Seawall; strengthening the  
21 Embarcadero; protecting transit infrastructure and utilities that provide water, wastewater,  
22 power and telecommunications to residents and businesses; and to pay related costs, subject  
23 to independent citizen oversight and regular audits, all to protect San Francisco's waterfront,  
24 BART and Muni tunnels, buildings, historic piers, and roads from earthquakes, flooding and  
25 rising sea levels; and authorizing landlords to pass-through to residential tenants in units subject

1 to Chapter 37 of the Administrative Code (the "Residential Rent Stabilization and Arbitration  
2 Ordinance") 50% of the increase in the real property taxes attributable to the cost of the  
3 repayment of the bonds."

4 The special election called and ordered shall be referred to in this ordinance as the  
5 "Seawall Earthquake Safety Bond Special Election."

6 Section 3. PROPOSED PROGRAM. All contracts that are funded with the proceeds  
7 of bonds authorized hereby shall be subject to the provisions of Chapter 83 of the Administrative  
8 Code (the "First Source Hiring Program"), which fosters construction and permanent  
9 employment opportunities for qualified economically disadvantaged individuals. In addition, all  
10 contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the  
11 provisions of Chapter 14B of the Administrative Code (the "Local Business Enterprise and Non-  
12 Discrimination in Contracting Ordinance"), which assists small and micro local businesses to  
13 increase their ability to compete effectively for the award of City contracts. To the extent  
14 permitted by law, eligible costs for the proposed program include all costs associated with  
15 Seawall Program development and planning, including planning for future sea level rise  
16 adaptation, pre-design, design, engineering and other soft costs; and construction  
17 management. The proposed program can be summarized as follows:

18 a. EARTHQUAKE PROJECTS. Several construction options are available to  
19 improve Seawall seismic reliability. All or a portion of these options may be implemented  
20 together, individually, or sequenced over time. A portion of the Bond may be allocated to:

- 21 1) Ground strengthening and liquefaction remediation
- 22 2) Constructing a new Seawall
- 23 3) Bulkhead wall, wharf and pier retrofits and replacements
- 24 4) Bulkhead building retrofits and seismic joints
- 25 5) Critical facility retrofits and replacements

- 6) Utility replacements, relocations and bypasses
- 7) Matching funds for public and private sources or
- 8) Other life safety improvements.

b. FLOOD PROTECTION PROJECTS. The Port will co-design flood mitigations with seismic improvements and will evaluate the applicability, effectiveness, risks, and costs of the short and mid-term seismic reinforcements and flood mitigations to Seawall reaches. Among the projects a portion of this Bond may be allocated to are the following:

- 1) Flood walls and barriers
- 2) Changes to surface grading
- 3) Flood proofing
- 4) Enhanced foundation for future adaptation or
- 5) Other flood control improvements.

c. MITIGATION AND ENHANCEMENT PROJECTS. The Port will decide whether to include enhancements for both the urban landscape and the bay environment based on the scale and location of the site-specific seismic and near-term flood risk reduction methods and the cost-benefit ratio of these infrastructure investments. A portion of the Bond may be allocated to:

- 1) Public access enhancements
- 2) Transportation/mobility improvements
- 3) Environmental benefits or
- 4) Other public benefits.

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

e. ART ENRICHMENT. Consistent with Section 3.19 of the San Francisco Administrative Code and to the extent permitted by law, up to 2% of Bond proceeds may be

1 used to 1) fund educational and interpretative art to inform the public about the Seawall and  
2 earthquake and flood risks to the City's waterfront, and 2) fund other art enrichment, in either  
3 case on Port property as approved by the Port Commission in consultation with the Arts  
4 Commission.

5 Section 4. BOND ACCOUNTABILITY MEASURES.

6 The Bond shall include the following administrative rules and principles:

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

12 b. TRANSPARENCY. The City shall create and maintain a Web page outlining and  
13 describing the bond program, progress, and activity updates. The City shall also hold an annual  
14 public hearing and reviews on the bond program and its implementation before the Board of  
15 Supervisors, the Port Commission, the Capital Planning Committee, and the Citizens' General  
16 Obligation Bond Oversight Committee.

17 Section 5. The estimated cost of the bond financed portion of the project described in  
18 Section 2 above was fixed by the Board by Resolution No. 183-18, in the amount of  
19 \$425,000,000. Said resolution was passed by two-thirds or more of the Board and approved by  
20 the Mayor. In such resolution it was recited and found by the Board that the sum of money  
21 specified is too great to be paid out of the ordinary annual income and revenue of the City in  
22 addition to the other annual expenses or other funds derived from taxes levied for those  
23 purposes and will require expenditures greater than the amount allowed by the annual tax levy.

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

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

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

9           Section 7. The Bond Special Election is consolidated with the General Election  
10 scheduled to be held in the City on Tuesday, November 6, 2018. The voting precincts, polling  
11 places, and officers of election for the November 6, 2018 General Election are hereby adopted,  
12 established, designated, and named, respectively, as the voting precincts, polling places, and  
13 officers of election for the Bond Special Election called, and reference is made to the notice of  
14 election setting forth the voting precincts, polling places, and officers of election for the  
15 November 6, 2018 General Election by the Director of Elections to be published in the official  
16 newspaper of the City on the date required under State law.

17           Section 8. The ballots to be used at the Bond Special Election shall be the ballots  
18 used at the November 6, 2018 General Election. The word limit for ballot propositions imposed  
19 by Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond  
20 Special Election, in addition to any other matter required by law to be printed thereon, shall  
21 appear the following as a separate proposition:

22           "SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018. "To protect San  
23 Francisco's waterfront, BART and Muni tunnels, buildings, historic piers, and roads from  
24 earthquakes, flooding and rising sea levels by: repairing and upgrading the City's 100 year old  
25 Embarcadero Seawall; strengthening the Embarcadero; protecting transit infrastructure and

1 utilities that provide water, wastewater, power and telecommunications to residents and  
2 businesses; shall the City of San Francisco issue \$425,000,000 in bonds, subject to  
3 independent citizen oversight and regular audits?"

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

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

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

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

24 Section 12. The Board, having reviewed the proposed legislation, makes the following  
25 findings in compliance with the California Environmental Quality Act, California Public

1 Resources Code Sections 21000 et seq., the CEQA Guidelines, 15 California Administrative  
2 Code Sections 15000 et seq., and San Francisco Administrative Code Chapter 31 (collectively,  
3 "CEQA"): The Planning Department has determined that The Planning Department has  
4 determined that this legislation is not defined as a "project" under CEQA, because it is only the  
5 creation of a government funding mechanism and does not involve any commitment to any  
6 specific project, as defined in CEQA Guidelines Section 15378(b)(4). The Board affirms this  
7 determination.

8 Section 13. The Board finds and declares that the proposed Bond is in conformity with  
9 the priority policies of Section 101.1(b) of the San Francisco Planning Code and consistent with  
10 the City's General Plan, and adopts the findings of the Planning Department, as set forth in the  
11 General Plan Referral Report dated May 24, 2018, a copy of which is on file with the Clerk of  
12 the Board of Supervisors in File No. 180454 and incorporates such findings by reference.

13 Section 14. Under Section 53410 of the California Government Code, the bonds shall  
14 be for the specific purposes authorized in this ordinance and the proceeds of such bonds will  
15 be applied only for such specific purposes. The City will comply with the requirements of  
16 Sections 53410(c) and 53410(d) of the California Government Code.

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

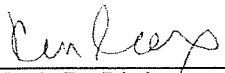
23 Section 16. The time requirements specified in Section 2.34 of the Administrative Code  
24 are waived.

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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. 180454 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

n:\financlas2018\1800446\01280687.docx





**City and County of San Francisco**  
**Tails**  
**Ordinance**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 180454

**Date Passed:** June 26, 2018

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2018, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$425,000,000 to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, 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; affirming the Planning Department's determination under the California Environmental Quality Act, and 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; 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.

May 31, 2018 Budget and Finance Committee - AMENDED

May 31, 2018 Budget and Finance Committee - DUPLICATED AND AMENDED

May 31, 2018 Budget and Finance Committee - RECOMMENDED AS AMENDED

June 12, 2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

June 12, 2018 Board of Supervisors - CONTINUED AS AMENDED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

June 19, 2018 Board of Supervisors - PASSED ON FIRST READING

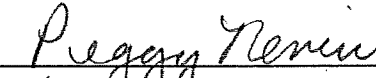
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

June 26, 2018 Board of Supervisors - FINALLY PASSED

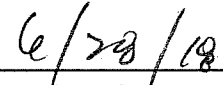
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani,  
Tang and Yee

File No. 180454

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
6/26/2018 by the Board of Supervisors of  
the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Mark Farrell  
Mayor

  
\_\_\_\_\_  
Date Approved

**REVISED LEGISLATIVE DIGEST**

(Amended in Board, 6/12/2018)

[General Obligation Bond Election - Seawall and Other Critical Infrastructure - \$425,000,000]

**Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2018, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$425,000,000 to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, 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; affirming the Planning Department's determination under the California Environmental Quality Act, and 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; 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.**

Existing Law

General Obligation Bonds of the City and County of San Francisco may be issued only with the assent of two-thirds of the voters voting on the proposition.

Ballot Proposition

This ordinance authorizes the following ballot proposition to be placed on the November 6, 2018 ballot:

**SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018.** To protect San Francisco's waterfront, BART and Muni tunnels, buildings, historic piers, and roads from

earthquakes, flooding and rising sea levels by: repairing and upgrading the City's 100 year old Embarcadero Seawall; strengthening the Embarcadero; protecting transit infrastructure and utilities that provide water, wastewater, power and telecommunications to residents and businesses; shall the City of San Francisco issue \$425,000,000 in bonds, subject to independent citizen oversight and regular audits?

The ordinance fixes the maximum rate of interest on the Bonds, and provides for a levy and a collection of taxes to repay both the principal and interest on the Bonds. The ordinance also describes the manner in which the Bond Special Election will be held, and the ordinance provides for compliance with applicable state and local laws.

#### Background Information

The Board of Supervisors found that the amount of money specified for this project is and will be too great to be paid out of the ordinary annual income and revenue of the City, and will require expenditures greater than the amount allowed therefor by the annual tax levy.

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City and County of San Francisco

Certified Copy

Ordinance

SAN FRANCISCO
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
2018 JUL 27 AM 11:24
DEPARTMENT OF ELECTIONS

180571 [ General Obligation Bond Election - Seawall and Other Critical Infrastructure - Ballot Question ]

Sponsors: Mayor; Cohen, Kim, Peskin, Yee and Brown

Ordinance adopting a question to appear on the November 6, 2018 ballot regarding the proposed ordinance to incur \$425,000,000 of bonded debt of the City and County to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, and related costs necessary or convenient for the foregoing purposes.

7/17/2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

7/24/2018 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Cohen, Brown, Kim, Mandelman, Peskin, Ronen, Safai, Stefani and Yee
Excused: 2 - Fewer and Tang

7/26/2018 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 27, 2018

Date

[Handwritten signature]

for Angela Calvillo

Clerk of the Board

1 [General Obligation Bond Election - Seawall and Other Critical Infrastructure - Ballot Question]

2  
3 Ordinance adopting a question to appear on the November 6, 2018 ballot regarding the  
4 proposed ordinance to incur \$425,000,000 of bonded debt of the City and County to  
5 finance the construction, reconstruction, acquisition, improvement, demolition,  
6 seismic strengthening and repair of the Embarcadero Seawall and other critical  
7 infrastructure, and related costs necessary or convenient for the foregoing purposes.

8 NOTE: Unchanged Code text and uncodified text are in plain Arial font.  
9 Additions to Codes are in *single-underline italics Times New Roman font*.  
10 Deletions to Codes are in ~~italics Times New Roman font~~.  
11 Board amendment additions are in double-underlined Arial font.  
12 Board amendment deletions are in ~~strikethrough Arial font~~.  
13 Asterisks (\* \* \* \*) indicate the omission of unchanged Code  
14 subsections or parts of tables.

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

14 Section 1.— Findings.

15 a.— ~~The Embarcadero Seawall (the “Seawall”), which serves as the foundation of the~~  
16 ~~northern waterfront, is one of San Francisco’s oldest pieces of infrastructure.~~

17 b.— ~~Constructed by the State of California over one hundred years ago, the Seawall~~  
18 ~~supports San Francisco’s historic piers, wharves, local businesses, maritime uses, iconic tourist~~  
19 ~~destinations, recreation facilities, and restaurants, which bring an estimated 24 million people~~  
20 ~~to the waterfront annually.~~

21 c.— ~~The Seawall also supports key lifeline utility networks and infrastructure, including~~  
22 ~~the Bay Area Rapid Transit (BART), Muni Metro, and ferry transportation networks.~~

23 d.— ~~The Seawall serves as a critical emergency response, evacuation and recovery~~  
24 ~~area and provides flood protection to downtown San Francisco (“City”) neighborhoods. All told,~~  
25 ~~the Seawall protects over \$100 billion of assets and economic activity.~~

1 e. — Recent analysis by the City and the Port of San Francisco (the "Port") found that  
2 the Seawall will likely suffer significant damage during a major earthquake, causing widespread  
3 harm to the Embarcadero; historic buildings and piers; critical transportation, utility, and  
4 emergency response infrastructure; and the residents, workers, and visitors who depend on  
5 them. A major earthquake would likely cause the Seawall to move towards the bay, potentially  
6 by as much as five feet. This seismic risk is compounded by the accelerating risk of flooding,  
7 which occurs today during high tides and larger storm events.

8 f. — The Seawall is named as a critical infrastructure priority in the City's Lifelines  
9 Interdependency Study published in 2014, and the Bond (as defined below) is planned for the  
10 November 2018 election as part of the General Obligation Bond Program in the City's FY 2018-  
11 27 Capital Plan.

12 g. — The Embarcadero Roadway encircles downtown San Francisco. After a major  
13 seismic event, up to 250,000 people are expected to exit downtown towards the waterfront.  
14 The Embarcadero must provide access to first responders, safe locations for people exiting  
15 downtown, and routes for transporting emergency supplies and equipment.

16 h. — To address earthquake and flood risks to the Seawall, the Port is leading the  
17 Seawall Earthquake Safety and Disaster Prevention Program ("Seawall Program"), a program  
18 that will invest a projected \$2.5 billion over the next three decades to protect the San Francisco  
19 waterfront from imminent seismic risk and increasing flood risk due to sea level rise.

20 i. — This Board of Supervisors (this "Board") recognizes the need to improve the  
21 earthquake safety and performance of the Seawall and other critical infrastructure, provide  
22 near-term flood protection improvements, and plan for long-term resilience and sea level rise  
23 adaptation along this important stretch of the City's waterfront.

24 j. — The Seawall Earthquake Safety Bond (the "Bond") will provide funding to the  
25 Seawall Program and other critical infrastructure (as described below in Section 3).

1 k. ~~The Bond sets up a financing mechanism to be used for certain kinds of work,~~  
2 ~~and specific projects at specified locations will not be determined until additional design and~~  
3 ~~budget development, as well as further planning and environmental review processes, are~~  
4 ~~complete.~~

5 l. ~~This Board now wishes to describe the terms of a ballot measure seeking approval~~  
6 ~~for the issuance of general obligation bonds to finance all or a portion of the City's Seawall and~~  
7 ~~other critical infrastructure needs as described below.~~

8 Section 2. ~~A special election is called and ordered to be held on Tuesday, November~~  
9 ~~6, 2018, for the purpose of submitting to the electors of the City a proposition to incur bonded~~  
10 ~~indebtedness of the City for the project described in the amount and for the purposes stated:~~

11 ~~"SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018. \$425,000,000 of~~  
12 ~~bonded indebtedness to finance the cost: repairing and upgrading the City's 100-year old~~  
13 ~~Embarcadero Seawall; strengthening the Embarcadero; protecting transit infrastructure and~~  
14 ~~utilities that provide water, wastewater, power and telecommunications to residents and~~  
15 ~~businesses; and to pay related costs, subject to independent citizen oversight and regular~~  
16 ~~audits, all to protect San Francisco's waterfront, BART and Muni tunnels, buildings, historic~~  
17 ~~piers, and roads from earthquakes, flooding and rising sea levels; and authorizing landlords to~~  
18 ~~pass through to residential tenants in units subject to Chapter 37 of the Administrative Code~~  
19 ~~(the "Residential Rent Stabilization and Arbitration Ordinance") 50% of the increase in the real~~  
20 ~~property taxes attributable to the cost of the repayment of the bonds."~~

21 ~~The special election called and ordered shall be referred to in this ordinance as the~~  
22 ~~"Seawall Earthquake Safety Bond Special Election."~~

23 Section 3. ~~PROPOSED PROGRAM. All contracts that are funded with the proceeds~~  
24 ~~of bonds authorized hereby shall be subject to the provisions of Chapter 83 of the Administrative~~  
25 ~~Code (the "First Source Hiring Program"), which fosters construction and permanent~~



1 employment opportunities for qualified economically disadvantaged individuals. In addition, all  
2 contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the  
3 provisions of Chapter 14B of the Administrative Code (the "Local Business Enterprise and Non-  
4 Discrimination in Contracting Ordinance"), which assists small and micro local businesses to  
5 increase their ability to compete effectively for the award of City contracts. To the extent  
6 permitted by law, eligible costs for the proposed program include all costs associated with  
7 Seawall Program development and planning, including planning for future sea level rise  
8 adaptation, pre design, design, engineering and other soft costs; and construction  
9 management. The proposed program can be summarized as follows:

10 a. ~~EARTHQUAKE PROJECTS.~~ Several construction options are available to  
11 improve Seawall seismic reliability. All or a portion of these options may be implemented  
12 together, individually, or sequenced over time. A portion of the Bond may be allocated to:

- 13 1) ~~Ground strengthening and liquefaction remediation~~
- 14 2) ~~Constructing a new Seawall~~
- 15 3) ~~Bulkhead wall, wharf and pier retrofits and replacements~~
- 16 4) ~~Bulkhead building retrofits and seismic joints~~
- 17 5) ~~Critical facility retrofits and replacements~~
- 18 6) ~~Utility replacements, relocations and bypasses~~
- 19 7) ~~Matching funds for public and private sources or~~
- 20 8) ~~Other life safety improvements.~~

21 b. ~~FLOOD PROTECTION PROJECTS.~~ The Port will co-design flood mitigations with  
22 seismic improvements and will evaluate the applicability, effectiveness, risks, and costs of the  
23 short and mid term seismic reinforcements and flood mitigations to Seawall reaches. Among  
24 the projects a portion of this Bond may be allocated to are the following:

- 25 1) ~~Flood walls and barriers~~

- ~~2) Changes to surface grading~~
- ~~3) Flood proofing~~
- ~~4) Enhanced foundation for future adaptation or~~
- ~~5) Other flood control improvements.~~

~~e. MITIGATION AND ENHANCEMENT PROJECTS. The Port will decide whether to include enhancements for both the urban landscape and the bay environment based on the scale and location of the site-specific seismic and near-term flood risk reduction methods and the cost-benefit ratio of these infrastructure investments. A portion of the Bond may be allocated to:~~

- ~~1) Public access enhancements~~
- ~~2) Transportation/mobility improvements~~
- ~~3) Environmental benefits or~~
- ~~4) Other public benefits.~~

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

~~e. ART ENRICHMENT. Consistent with Section 3.19 of the San Francisco Administrative Code and to the extent permitted by law, up to 2% of Bond proceeds may be used to 1) fund educational and interpretative art to inform the public about the Seawall and earthquake and flood risks to the City's waterfront, and 2) fund other art enrichment, in either case on Port property as approved by the Port Commission in consultation with the Arts Commission.~~

~~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~~

1 ~~Section 5.31, the Citizens' General Obligation Bond Oversight Committee shall conduct an~~  
2 ~~annual review of bond spending, and shall provide an annual report of the bond program to the~~  
3 ~~Mayor and the Board of Supervisors.~~

4 ~~##~~

5 ~~\_\_\_\_\_ b. \_\_\_\_\_ TRANSPARENCY. The City shall create and maintain a Web page outlining and~~  
6 ~~describing the bond program, progress, and activity updates. The City shall also hold an annual~~  
7 ~~public hearing and reviews on the bond program and its implementation before the Board of~~  
8 ~~Supervisors, the Port Commission, the Capital Planning Committee, and the Citizens' General~~  
9 ~~Obligation Bond Oversight Committee.~~

10 ~~Section 5. The estimated cost of the bond financed portion of the project described in~~  
11 ~~Section 2 above was fixed by the Board by Resolution No. \_\_\_\_\_, in the amount of~~  
12 ~~\$425,000,000. Said resolution was passed by two thirds or more of the Board and approved by~~  
13 ~~the Mayor. In such resolution it was recited and found by the Board that the sum of money~~  
14 ~~specified is too great to be paid out of the ordinary annual income and revenue of the City in~~  
15 ~~addition to the other annual expenses or other funds derived from taxes levied for those~~  
16 ~~purposes and will require expenditures greater than the amount allowed by the annual tax levy.~~

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

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

21 ~~Section 6. The Bond Special Election shall be held and conducted and the votes~~  
22 ~~received and canvassed, and the returns made and the results ascertained, determined, and~~  
23 ~~declared as provided in this ordinance and in all particulars not recited in this ordinance such~~  
24 ~~election shall be held according to State law and the Charter and any regulations adopted under~~  
25 ~~State law or the Charter, providing for and governing elections in the City, and the polls for such~~

1 election shall be and remain open during the time required by such laws and regulations.

2       Section 7. ~~The Bond Special Election is consolidated with the General Election~~  
3 ~~scheduled to be held in the City on Tuesday, November 6, 2018. The voting precincts, polling~~  
4 ~~places, and officers of election for the November 6, 2018 General Election are hereby adopted,~~  
5 ~~established, designated, and named, respectively, as the voting precincts, polling places, and~~  
6 ~~officers of election for the Bond Special Election called, and reference is made to the notice of~~  
7 ~~election setting forth the voting precincts, polling places, and officers of election for the~~  
8 ~~November 6, 2018 General Election by the Director of Elections to be published in the official~~  
9 ~~newspaper of the City on the date required under State law.~~

10       Section 18. ~~The ballots to be used at the Bond Special Election shall be the ballots~~  
11 ~~used at the November 6, 2018 General Election. The word limit for ballot propositions imposed~~  
12 ~~by Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond~~  
13 ~~Special Election, in addition to any other matter required by law to be printed thereon, shall~~  
14 ~~appear the following as a separate proposition:~~

15       "~~SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018. "To protect San~~  
16 ~~Francisco's waterfront, BART and Muni tunnels, buildings, historic piers, and roads from~~  
17 ~~earthquakes, flooding and rising sea levels by: repairing and upgrading the City's 100 year old~~  
18 ~~Embarcadero Seawall; strengthening the Embarcadero; protecting transit infrastructure and~~  
19 ~~utilities that provide water, wastewater, power and telecommunications to residents and~~  
20 ~~businesses; shall the City of San Francisco issue \$425,000,000 in bonds, subject to~~  
21 ~~independent citizen oversight and regular audits?"~~

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

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

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

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

17           Section 12. ~~The Board, having reviewed the proposed legislation, makes the following~~  
18 ~~findings in compliance with the California Environmental Quality Act, California Public~~  
19 ~~Resources Code Sections 21000 et seq., the CEQA Guidelines, 15 California Administrative~~  
20 ~~Code Sections 15000 et seq., and San Francisco Administrative Code Chapter 31 (collectively,~~  
21 ~~"CEQA"): The Planning Department has determined that this legislation is not defined as a~~  
22 ~~"project" under CEQA, because it is only the creation of a government funding mechanism and~~  
23 ~~does not involve any commitment to any specific project, as defined in CEQA Guidelines~~  
24 ~~Section 15378(b)(4). The Board affirms this determination.~~

25           Section 13. ~~The Board finds and declares that the proposed Bond is in conformity with~~

1 the priority policies of Section 101.1(b) of the San Francisco Planning Code and consistent with  
2 the City's General Plan, and adopts the findings of the Planning Department, as set forth in the  
3 General Plan Referral Report dated \_\_\_\_\_, a copy of which is on file with the  
4 Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and incorporates such findings by  
5 reference.

6 Section 14. Under Section 53410 of the California Government Code, the bonds shall  
7 be for the specific purposes authorized in this ordinance and the proceeds of such bonds will  
8 be applied only for such specific purposes. The City will comply with the requirements of  
9 Sections 53410(c) and 53410(d) of the California Government Code.

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

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

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

22 ##

23 Section 18. Documents referenced in this ordinance are on file with the Clerk of the  
24 Board of Supervisors in File No. \_\_\_\_\_ which is hereby declared to be a part of  
25 this ordinance as if set forth fully herein.

1       Section 1. The ballots to be used at the Bond Special Election shall be the ballots  
2 used at the November 6, 2018 General Election. The word limit for ballot propositions imposed  
3 by Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond  
4 Special Election, in addition to any other matter required by law to be printed thereon, shall  
5 appear the following as a separate proposition:

6       "SAN FRANCISCO SEAWALL EARTHQUAKE SAFETY BOND, 2018. To protect the  
7 waterfront, BART and Muni, buildings, historic piers, and roads from earthquakes, flooding and  
8 rising seas by: repairing the 100 year old Embarcadero Seawall; strengthening the  
9 Embarcadero; and fortifying transit infrastructure and utilities serving residents and businesses;  
10 shall the city issue \$425,000,000 in bonds, with a duration up to 30 years from the time of  
11 issuance, an estimated tax rate of \$0.013/\$100 of assessed property value, and estimated  
12 annual revenues of up to \$40,000,000, with citizen oversight and regular audits?

13       The City's current debt management policy is to keep the property tax rate from City  
14 general obligation bonds below the 2006 rate by issuing new bonds as older ones are retired  
15 and the tax base grows, though the overall property tax rate may vary based on other factors."

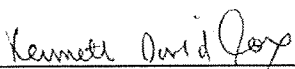
16       Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark  
17 the ballot in the location corresponding to a "YES" vote for the proposition, and each voter to  
18 vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote 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

20       Section 2. If amendments to California Elections Code Section 13119 are effective and  
21 operative by the eighty-fifth day before the November 6, 2018 election, the Controller is hereby  
22 authorized to make amendments to the ballot proposition in Section 1 of this Ordinance only if  
23 such further changes are directly related to amendments to Elections Code Section 13119. If  
24 the Controller amends the ballot proposition as authorized under this Section 2, the Controller  
25 must submit the final ballot proposition to the Department of Elections by noon on the eighty-

1 fourth day before the November 6, 2018 election and such ballot proposition shall be made  
2 available by the Department of Elections for public examination under Municipal Elections Code  
3 Section 590.

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

8 By:

  
Kenneth David Roux  
Deputy City Attorney  
n:\financlas2018\1800446\01288801.docx





**City and County of San Francisco**  
**Tails**  
**Ordinance**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 180571

**Date Passed:** July 24, 2018

Ordinance adopting a question to appear on the November 6, 2018 ballot regarding the proposed ordinance to incur \$425,000,000 of bonded debt of the City and County to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, and related costs necessary or convenient for the foregoing purposes.

May 31, 2018 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

May 31, 2018 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR AS AMENDED

July 12, 2018 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 12, 2018 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 17, 2018 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Cohen, Brown, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

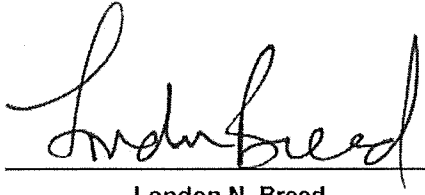
July 24, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Cohen, Brown, Kim, Mandelman, Peskin, Ronen, Safai, Stefani and Yee  
Excused: 2 - Fewer and Tang

File No. 180571

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
7/24/2018 by the Board of Supervisors of  
the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
London N. Breed  
Mayor

7/26/18  
\_\_\_\_\_  
Date Approved

**REVISED LEGISLATIVE DIGEST**

(7/12/2018, Amended in Committee)

[General Obligation Bond Election - Seawall and Other Critical Infrastructure - Ballot Question]

**Ordinance adopting a question to appear on the November 6, 2018 ballot regarding the proposed ordinance to incur \$425,000,000 of bonded debt of the City and County to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure, and related costs necessary or convenient for the foregoing purposes.**

Existing Law

In Board of Supervisors File No. 180454, the Board of Supervisors submitted to the voters a General Obligation Bond ordinance for the November 6, 2018 election to finance the construction, reconstruction, acquisition, improvement, demolition, seismic strengthening and repair of the Embarcadero Seawall and other critical infrastructure.

Amendments to Current Law

This ordinance would provide the question that would appear on the ballot for the bond measure and would provide a deadline for and authorize the Controller to amend the question to conform to applicable amendments under state elections law.

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