**APPENDIX A**

**CITY AND COUNTY OF SAN FRANCISCO ORGANIZATION AND FINANCES**

This Appendix A to the Official Statement of the City provides general information about the City's governance structure, budget processes, property taxation system and tax and other revenue sources, City expenditures, labor relations, employment benefits and retirement costs, investments, bonds, and other long-term obligations.

The various reports, documents, websites and other information referred to herein are not incorporated herein by such references. The City has referred to certain specified documents in this Appendix A which are hosted on the City's website. A wide variety of other information, including financial information, concerning the City is available from the City's publications, websites and its departments. Any such information that is inconsistent with the information set forth in this Official Statement should be disregarded and is not a part of or incorporated into this Appendix A and should not be considered in making a decision to buy the bonds.

Information concerning the City's finances that does not materially impact the availability of moneys deposited in the General Fund including San Francisco International Airport ("SFO" or the "Airport"), Public Utilities Commission ("PUC"), and other enterprise funds, or the expenditure of moneys from the General Fund, is generally not included or, if included, is not described in detail in this Appendix A.

The information presented in this Appendix A contains, among other information, City budgetary forecasts, projections, estimates and other statements that are based on current expectations as of its date. The words "expects," "forecasts," "projects," "budgets," "intends," "anticipates," "estimates," "assumes" and analogous expressions are intended to identify such information as "forward-looking statements." Such budgetary forecasts, projections and estimates are not intended as representations of fact or intended as guarantees of results. Any such forward-looking statements are inherently subject to a variety of risks and uncertainties that could cause actual results or performance to differ materially from those that have been forecast, estimated or projected.

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**PUBLIC HEALTH EMERGENCY – COVID-19**

On February 11, 2020 the World Health Organization ("WHO") announced the official name for the outbreak of a new disease ("COVID-19") caused by a strain of novel coronavirus, an upper respiratory tract illness which has since been declared a pandemic and spread across the globe.

From time to time since the onset of the pandemic, all counties in the Bay Area (including the City) have implemented and revised restrictions on mass gatherings and widespread closings or other limitations of the operations of government, commercial, educational, and other institutions. While significant portions of the population of the State of California (including the City) have been vaccinated, COVID-19 variants have resulted in increased infection rates and the imposition of certain restrictions on commercial and other activities. As of October 13, 2021, San Francisco had a cumulative COVID-19 case count of 51,225 and a total of 645 fatalities since the start of the pandemic.

The COVID-19 pandemic has materially adversely impacted the financial condition of the City. Existing and potential impacts to the City associated with the COVID-19 outbreak include, but are not limited to, increasing costs and challenges to the City's public health system, reductions in tourism and disruption of the regional and local economy, widespread business closures, and significantly higher levels of unemployment, with corresponding decreases in City revenues, particularly business, sales, transient occupancy (hotel), and parking taxes.

The economic impact of COVID-19 has materially reduced the City's tax revenues and although City operations have stabilized, a resurgence of the pandemic may affect the City's ability to sustain regular operations at current levels. As shown in Table A-4, after years of increases, fiscal year 2019-20 General Fund revenue declined by $417.3 million, or 7.1%, from fiscal year 2018-19. These decreases occurred in nearly every category of revenue except intergovernmental revenue; most significantly, the City experienced the greatest decline in its "other local taxes," which includes hotel and sales taxes. Another significant decline was in property tax revenue, which declined by $173.0 million from fiscal year 2018-19 due to the recognition of three years' excess ERAF revenue (fiscal years 2016-17, 2017-18, and 2018-19) in fiscal year 2018-19 compared to just one year in fiscal year 2019-20. See "PROPERTY TAXATION – "Tax Levy and Collection" for additional detail.

The Original Budget for fiscal year 2020-21 was approved by the Board of Supervisors on September 20, 2020 and signed by Mayor Breed on October 1, 2020 (the "2020-21 Original Budget"). The 2020-21 Original Budget assumed $755.6 million of COVID-19 response costs in fiscal year 2020-21. Actual costs ultimately depend on the duration and severity of the pandemic. New costs are partially offset by the re-assignment of City employees and may be offset by FEMA reimbursement for eligible costs. As described herein, the City received significant federal relief, which mitigated the adverse financial impact of the COVID-19 pandemic. See "CITY BUDGET - Five-Year Financial Plan and March Update" for further detail. On July 29, 2021, the Mayor and Board adopted a final balanced budget for fiscal years 2021-22 and 2022-23; the budget assumes $378.3 million of COVID-19 response costs in the two-year budget. See "CITY BUDGET – Original Budget for Fiscal Years 2021-22 and 2022-23" herein.

The City is in the midst of closing fiscal year 2020-21, so final revenue results are still pending. However, on May 13, 2021, the Controller's Office released the Nine-Month Report, which included updated revenue and expenditure projections for fiscal year 2020-21. Property tax and real property transfer tax revenues were projected to exceed budgeted levels due to State guidance on the calculation of excess ERAF and a greater number of large commercial sales than previously anticipated. Weakness in hotel,

sales and business taxes partially offset this revenue improvement. See "CITY BUDGET – Other Budget Updates: Fiscal Year 2020-21 Nine-Month Budget Status Report."

## CITY GOVERNMENT

### City Charter

San Francisco is constituted as a city and county chartered pursuant to Article XI, Sections 3, 4, 5 and 6 of the Constitution of the State of California (the "State") and is the only consolidated city and county in the State. In addition to its powers under its charter in respect of municipal affairs granted under the State Constitution, San Francisco generally can exercise the powers of both a city and a county under State law. On April 15, 1850, several months before California became a state, the original charter was granted by territorial government to the City. New City charters were adopted by the voters on May 26, 1898, effective January 8, 1900, and on March 26, 1931, effective January 8, 1932. In November 1995, voters approved the current charter, which went into effect in most respects on July 1, 1996 ("Charter").

The City is governed by a Board of Supervisors consisting of eleven members elected from supervisorial districts ("Board of Supervisors"), and a Mayor elected at large who serves as chief executive officer ("Mayor"). Members of the Board of Supervisors and the Mayor each serve a four-year term. The Mayor and members of the Board of Supervisors are subject to term limits as established by the Charter. Members of the Board of Supervisors may serve no more than two successive four-year terms and may not serve another term until four years have elapsed since the end of the second successive term in office. The Mayor may serve no more than two successive four-year terms, with no limit on the number of non-successive terms of office. The City Attorney, Assessor-Recorder, District Attorney, Treasurer and Tax Collector, Sheriff, and Public Defender are also elected directly by the citizens and may serve unlimited four-year terms. The Charter provides a civil service system for most City employees. School functions are carried out by the San Francisco Unified School District (grades TK-12) ("SFUSD") and the San Francisco Community College District (post-secondary) ("SFCCD"). Each is a separate legal entity with a separately elected governing board.

Unique among California cities, San Francisco as a charter city and county provides the services of both a city and a county. Public services include police, fire and public safety; public health, mental health and other social services; courts, jails, and juvenile justice; public works, streets, and transportation, including a port and airport; construction and maintenance of all public buildings and facilities; water, sewer, and power services; parks and recreation; libraries and cultural facilities and events; zoning and planning, and many others. Employment costs are relatively fixed by labor and retirement agreements, and account for slightly less than 50% of all City expenditures. In addition, voters have approved Charter amendments that impose certain spending mandates and tax revenue set-asides, which dictate expenditure or service levels for certain programs, and allocate specific revenues or specific proportions thereof to other programs, including transportation services, children's services and public education, and libraries.

Under its original charter, the City committed to a policy of municipal ownership of utilities. The Municipal Railway, when acquired from a private operator in 1912, was the first such city-owned public transit system in the nation. In 1914, the City obtained its municipal water system, including the Hetch Hetchy watershed near Yosemite. In 1927, the City dedicated Mills Field Municipal Airport at a site in what is now San Mateo County 14 miles south of downtown San Francisco, which would grow to become today's San Francisco International Airport. In 1969, the City acquired the Port of San Francisco (the "Port") in trust from the State. Substantial expansions and improvements have been made to these enterprises since their original acquisition. SFO, the Port, the PUC (which includes the Water Enterprise, the Wastewater

Enterprise and the Hetch Hetchy Water and Power Project), the Municipal Transportation Agency ("MTA") (which operates the San Francisco Municipal Railway or "Muni" and the Department of Parking and Traffic ("DPT"), including the Parking Authority and its five public parking garages), and the City-owned hospitals (San Francisco General and Laguna Honda), are collectively referred to herein as the "enterprise fund departments," as they are not integrated into the City's General Fund operating budget. However, certain enterprise fund departments, including San Francisco General Hospital, Laguna Honda Hospital, and the MTA, annually receive significant General Fund transfers.

The Charter distributes governing authority among the Mayor, the Board of Supervisors, the various other elected officers, the City Controller and other appointed officers, and the boards and commissions that oversee the various City departments. The Mayor appoints most commissioners subject to a two-thirds vote of the Board of Supervisors, unless otherwise provided in the Charter. The Mayor appoints each department head from among persons nominated to the position by the appropriate commission and may remove department heads.

**Mayor**

Mayor London Breed is the 45th Mayor of San Francisco and the first African-American woman to serve in such capacity in the City's history. Mayor Breed was elected at the June 4, 2018 special election to serve until January 2020, fulfilling the remaining term of the late Mayor Edwin Lee. In November 2019, Mayor Breed was elected to serve her first full term. Prior to her election, Mayor Breed served as Acting Mayor, leading the City following the sudden passing of Mayor Lee. Mayor Breed previously served as a member of the Board of Supervisors for six years, including the last three years as President of the Board.

**Board of Supervisors**

Table A-1 lists the current members of the Board of Supervisors. The Supervisors are elected for staggered four-year terms and are elected by district. Vacancies are filled by appointment by the Mayor.

At the election on November 3, 2020, voters voted on Supervisor seats with terms expiring in 2025. Incumbents Aaron Peskin (District 3), Dean Preston (District 5), Hillary Ronen (District 9) and Ahsha Safaí (District 11) retained their seats for another four years, while new Supervisors Connie Chan and Myrna Melgar joined the Board for District 1 and District 7, respectively.

*TABLE A-1*

**CITY AND COUNTY OF SAN FRANCISCO**

**Board of Supervisors**

| Name | First Elected or Appointed | Current Term Expires |
|---|---|---|
| Connie Chan, *District 1* | 2021 | 2025 |
| Catherine Stefani, *District 2* | 2018 | 2023 |
| Aaron Peskin, *District 3* | 2015 | 2025 |
| Gordon Mar, *District 4* | 2019 | 2023 |
| Dean Preston, *District 5* | 2019 | 2025 |
| Matt Haney, *District 6* | 2019 | 2023 |
| Myrna Melgar, *District 7* | 2021 | 2025 |
| Rafael Mandelman, *District 8* | 2018 | 2023 |
| Hillary Ronen, *District 9* | 2017 | 2025 |
| Shamann Walton, Board President, *District 10* | 2019 | 2023 |
| Ahsha Safai, *District 11* | 2017 | 2025 |

**Other Elected and Appointed City Officers**

The City Attorney represents the City in all legal proceedings in which the City has an interest. Dennis J. Herrera was re-elected to a four-year term as City Attorney in November 2019. Mr. Herrera was first elected City Attorney in December 2001. Before becoming City Attorney, Mr. Herrera had been a partner in a private law firm and had served in the Clinton Administration as Chief of Staff of the U.S. Maritime Administration. He also served as president of the San Francisco Police Commission and was a member of the San Francisco Public Transportation Commission. In April 2021, Mr. Herrera was nominated by Mayor London Breed to become the next General Manager of the San Francisco Public Utilities Commission (SFPUC). The SFPUC has formally recommended his appointment, and upon the finalization of his contract, it is expected that Mr. Herrera will step down as City Attorney. On September 29, 2021, Mayor London N. Breed appointed Assemblymember David Chiu to serve as the next San Francisco City Attorney. Chiu represented the 17th Assembly District since 2014 and has authored a wide range of bills on issues relating to housing, homelessness, transportation, education, environment, health, public safety, and civil rights. Before entering public office, Chiu served as a civil rights attorney with the Lawyers' Committee for Civil Rights of the San Francisco Bay Area, a criminal prosecutor with the San Francisco District Attorney's Office, Democratic Counsel to the United States Senate Constitution Subcommittee, and a law clerk for Judge James R. Browning of the U.S. Court of Appeals for the Ninth Circuit. Mr. Chiu received his undergraduate, master's, and law degrees from Harvard University. Mr. Chiu would be the first Asian American City Attorney of San Francisco. Mr. Herrera will become the new General Manager of the San Francisco Public Utilities Commission on November 1, 2021, and on such date, Mr. Chiu will assume the office of City Attorney. In accordance with the Charter, an election for City Attorney will be conducted in June 2022.

The Assessor-Recorder administers the property tax assessment system of the City. On February 8, 2021, Joaquín Torres, formerly the Director of the Office of Economic and Workforce Development, was sworn in as the new Assessor-Recorder. The position of Assessor-Recorder is a citywide elected position. Mr. Torres will have to run in the election currently scheduled for June 2022 to complete the current term. Mr. Torres filled a vacancy left by the former Assessor-Recorder, Carmen Chu, who now serves as the City Administrator.

The Treasurer is responsible for the deposit and investment of all City moneys, and also acts as Tax Collector for the City. José Cisneros was re-elected to a four-year term as Treasurer of the City in November 2019. Mr. Cisneros has served as Treasurer since September 2004, following his appointment by then-Mayor Newsom. Prior to being appointed Treasurer, Mr. Cisneros served as Deputy General Manager, Capital Planning and External Affairs for the MTA.

The City Controller is responsible for timely accounting, disbursement, and other disposition of City moneys, certifies the accuracy of budgets, estimates the cost of ballot measures, provides payroll services for the City's employees, and, as the Auditor for the City, directs performance and financial audits of City activities. Benjamin Rosenfield was appointed to a ten-year term as Controller of the City by then-Mayor Newsom in March 2008 and was confirmed by the Board of Supervisors in accordance with the Charter. Mr. Rosenfield was reappointed by then-Mayor Mark Farrell to a new ten-year term as Controller in Spring 2018, and his nomination was confirmed by the Board of Supervisors on May 1, 2018. Before becoming Controller, Mr. Rosenfield served as the Deputy City Administrator under former City Administrator Edwin Lee from 2005 to 2008. He was responsible for the preparation and monitoring of the City's ten-year capital plan, oversight of a number of internal service offices under the City Administrator and implementing the City's 311 non-emergency customer service center. From 2001 to 2005, Mr. Rosenfield worked as the Budget Director for then-Mayor Willie L. Brown, Jr., and then-Mayor Newsom. As Budget Director during that period, Mr. Rosenfield prepared the City's proposed budget for each fiscal year and worked on behalf of the Mayor to manage City spending during the course of each year. From 1997 to 2001, Mr. Rosenfield worked as an analyst in the Mayor's Budget Office and as a project manager in the Controller's Office.

The City Administrator has overall responsibility for the management and implementation of policies, rules and regulations promulgated by the Mayor, the Board of Supervisors and the voters. The City Administrator oversees the General Services Agency consisting of 25 departments, divisions, and programs that include the Public Works Department, Department of Technology, Office of Contract Administration/Purchasing, Real Estate, County Clerk, Fleet Management, Convention Facilities, Animal Care and Control, Medical Examiner, and Treasure Island. Following the announcement of former City Administrator Naomi Kelly's resignation, Mayor Breed nominated Carmen Chu to serve as San Francisco's City Administrator, which was confirmed by the Board on January 26, 2021. Ms. Chu was sworn in as the City Administrator on February 2, 2021. Prior to becoming the City Administrator, Ms. Chu had served as the City's Assessor-Recorder since 2013. Before becoming Assessor-Recorder, Ms. Chu was elected in November 2008 and November 2010 to the Board of Supervisors, representing the Sunset/Parkside District 4 after being appointed by then-Mayor Gavin Newsom in September 2007.

## CITY BUDGET

### Overview

The City manages the operations of its nearly 60 departments, commissions and authorities, including the enterprise fund departments, and funds such departments and enterprises through its annual budget process. Each year the Mayor prepares budget legislation for the City departments, which must be approved by the Board of Supervisors. General Fund revenues consist largely of local property tax, business tax, sales tax, other local taxes and charges for services. A significant portion of the City's revenue also comes in the form of intergovernmental transfers from the State and federal governments. Thus, the City's fiscal position is affected by the health of the local real estate market, the local business and tourist

economy, and, by budgetary decisions made by the State and federal governments which depend, in turn, on the health of the larger State and national economies. All these factors are almost wholly outside the control of the Mayor, the Board of Supervisors and other City officials. In addition, the State Constitution limits the City's ability to raise taxes and property-based fees without a vote of City residents. See "CONSTITUTIONAL AND STATUTORY LIMITATIONS ON TAXES AND EXPENDITURES" herein. Also, the fact that the City's annual budget must be adopted before the State and federal budgets adds uncertainty to the budget process and necessitates flexibility so that spending decisions can be adjusted during the course of the fiscal year. See "CITY GENERAL FUND PROGRAMS AND EXPENDITURES" herein.

The fiscal year 2021-22 and 2022-23 Original Budget was approved by the Board of Supervisors on July 27, 2021 and signed by Mayor Breed on July 29, 2021. The Original Budget for fiscal year 2021-22 appropriated annual revenues, fund balance, transfers and reserves of $13.2 billion, of which the City's General Fund accounts for $6.4 billion. The Original Budget for fiscal year 2022-23 appropriates revenues, fund balance, transfers and reserves of $12.8 billion, of which $6.3 billion represents the General Fund budget. See "CITY BUDGET – Budget for Fiscal Years 2021-22 and 2022-23" for further details on the budget. Table A-2 shows Final Revised Budget revenues and appropriations for the City's General Fund for fiscal years 2018-19 through 2019-20, and Original Budgets for fiscal year 2020-21, 2021-22 and 2022-23. See "PROPERTY TAXATION –Tax Levy and Collection, "OTHER CITY TAX REVENUES" and "CITY GENERAL FUND PROGRAMS AND EXPENDITURES" herein.

Economic and tax revenue losses associated with the COVID-19 pandemic have been stark and immediate, and there can be no assurances that the pandemic will not result in further material adverse impacts on the projections and budget information provided in this Appendix A. See "CITY BUDGET - Original Budget for Fiscal Years 2021-22 and 2022-23," and "GENERAL FUND REVENUES" for a discussion of current projections of the magnitude of the financial impact of the COVID-19 pandemic on the City. See "BUDGETARY RISKS" for a discussion of factors that may affect the revenue and expenditure levels assumed in the budget for fiscal years 2021-22 and 2022-23.

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*TABLE A-2*

**CITY AND COUNTY OF SAN FRANCISCO**
**Budgeted General Fund Revenues and Appropriations for**
**Fiscal Years 2018-19 through 2022-23**
**(000s)**

| | 2018-19 Final Revised Budget | 2019-20 Final Revised Budget[6] | 2020-21 Original Budget[7] | 2021-22 Original Budget[8] | 2022-23 Original Budget[8] |
|---|---|---|---|---|---|
| Prior-Year Budgetary Fund Balance & Reserves | $2,342,082 | $2,817,270 | $526,905 | $778,545 | $313,961 |
| Budgeted Revenues | | | | | |
| Property Taxes[1] | $2,142,727 | $1,956,008 | $2,019,600 | $2,115,600 | $2,211,700 |
| Business Taxes | 879,414 | 1,050,392 | 826,400 | 957,140 | 1,065,350 |
| Other Local Taxes[2] | 1,053,390 | 1,144,376 | 657,990 | 777,750 | 1,076,092 |
| Licenses, Permits and Franchises | 30,794 | 30,361 | 23,175 | 27,944 | 27,997 |
| Fines, Forfeitures and Penalties | 3,131 | 3,131 | 2,338 | 4,035 | 3,088 |
| Interest and Investment Earnings | 20,323 | 69,579 | 23,490 | 36,247 | 38,307 |
| Rents and Concessions | 14,896 | 15,270 | 10,948 | 11,728 | 13,120 |
| Grants and Subventions | 1,072,205 | 1,234,987 | 1,380,693 | 1,216,765 | 1,130,154 |
| Charges for Services | 263,340 | 246,003 | 257,295 | 255,111 | 256,048 |
| Other | 29,712 | 31,712 | 25,254 | 24,238 | 24,256 |
| Total Budgeted Revenues | $5,509,932 | $5,781,819 | $5,227,184 | $5,426,557 | $5,846,112 |
| Bond Proceeds & Repayment of Loans | $87 | - | - | $77 | $10 |
| Expenditure Appropriations | | | | | |
| Public Protection | $1,390,266 | $1,493,240 | $1,448,004 | $1,507,122 | $1,549,264 |
| Public Works, Transportation & Commerce | 214,928 | 216,824 | 186,729 | 236,525 | 199,350 |
| Human Welfare & Neighborhood Development | 1,120,892 | 1,270,530 | 1,477,225 | 1,418,406 | 1,342,466 |
| Community Health | 967,113 | 1,065,051 | 1,152,275 | 1,056,459 | 1,063,063 |
| Culture and Recreation | 154,056 | 161,274 | 158,511 | 220,866 | 186,718 |
| General Administration & Finance | 290,274 | 332,296 | 363,650 | 497,915 | 414,607 |
| General City Responsibilities[3] | 172,028 | 137,851 | 219,635 | 243,733 | 238,766 |
| Total Expenditure Appropriations | $4,309,557 | $4,677,066 | $5,006,029 | $5,181,026 | $4,994,234 |
| Budgetary reserves and designations, net | - | $34,721 | $149,000 | $3,207 | $5,854 |
| Transfers In | $239,056 | $190,642 | $447,095 | $158,329 | $162,941 |
| Transfers Out[4] | (1,468,068) | (1,157,312) | (1,046,155) | (1,176,277) | (1,322,938) |
| Net Transfers In/Out | ($1,229,012) | ($966,670) | ($599,060) | ($1,017,948) | ($1,159,997) |
| Budgeted Excess (Deficiency) of Sources Over (Under) Uses | $2,313,531 | 2,920,632 | - | 2,999 | - |
| Variance of Actual vs. Budget | 503,738 | (139,127) | - | - | - |
| Total Actual Budgetary Fund Balance[5] | $2,817,269 | $2,781,505 | $0 | $2,999 | $0 |

[1] The City's final budget for FY 2018-19 property tax included $414.7 million of "Excess Educational Revenue Augmentation Fund (ERAF)" revenue, representing 2 years of Excess ERAF. In FY 2019-20, the City budgeted $185.0 million of "Excess Educational Revenue Augmentation Fund" (ERAF) revenue. The Budget appropriates Excess ERAF property tax funds in fiscal years 2020-21, 2021-22 , and 2022-23 for ongoing purposes. Please see "Property Tax" sections for more information about Excess ERAF.

[2] Other Local Taxes includes sales, hotel, utility users, parking, sugar sweetened beverage, stadium admissions, access line, cannabis, and executive compensation taxes.

[3] Over the past five years, the City has consolidated various departments to achieve operational efficiencies. This has resulted in changes in how departments were summarized in the service area groupings above for the time periods shown.

[4] Other Transfers Out is primarily related to transfers to support Charter-mandated spending requirements and hospitals.

[5] Fiscal year 2017-18 through fiscal year 2019-20 Final Revised Budget reflects prior year *actual* budgetary fund balance.

[6] FY 2019-20 Final Revised Budget updated from FY 2019-20 CAFR. Does not reflect material adverse impacts of the COVID-19 pandemic on the General Fund in FY2019-20. See reserve discussion under "CITY BUDGET" section.

[7] FY 2020-21 amounts represent the Original Budget, adopted on October 1, 2020.

[8] FY 2021-22 and 2022-23 amounts represent the final adopted Budget, July 29, 2021.

Source: Office of the Controller, City and County of San Francisco.

**Budget Process**

The following paragraphs contain a description of the City's customary budget process. The City's fiscal year commences on July 1 and ends on June 30. The City's budget process for each fiscal year begins in the middle of the preceding fiscal year as departments prepare their budgets and seek any required approvals from the applicable City board or commission. Departmental budgets are consolidated by the City Controller, and then transmitted to the Mayor no later than the first working day of March. By the first working day of May, the Mayor is required to submit a proposed budget to the Board of Supervisors for certain specified departments, based on criteria set forth in the Administrative Code. On or before the first working day of June, the Mayor is required to submit a proposed budget, including all departments, to the Board of Supervisors.

Under the Charter, following the submission of the Mayor's Proposed Budget, the City Controller must provide an opinion to the Board of Supervisors regarding the economic assumptions underlying the revenue estimates and the reasonableness of such estimates and revisions in the proposed budget (the City Controller's "Revenue Letter"). The City Controller may also recommend reserves that are considered prudent given the proposed resources and expenditures contained in the Mayor's Proposed Budget. The Revenue Letter and other information from the Controller's website are not incorporated herein by reference. The City's Capital Planning Committee (composed of other City officials) also reviews the proposed budget and provides recommendations based on the budget's conformance with the City's adopted ten-year capital plan. For a further discussion of the Capital Planning Committee and the City's ten-year capital plan, see "CAPITAL FINANCING AND BONDS – Capital Plan" herein.

The City is required by the Charter to adopt, each year, a budget which is balanced in each fund. During its budget approval process, the Board of Supervisors has the power to reduce or augment any appropriation in the proposed budget, provided the total budgeted appropriation amount in each fund is not greater than, the total budgeted appropriation amount for such fund submitted by the Mayor. The Board of Supervisors approves the budget by adoption of the Budget and Appropriation Ordinance (also referred to herein as the "Original Budget") typically by no later than August 1 of each fiscal year.

The Budget and Appropriation Ordinance becomes effective with or without the Mayor's signature after 10 days; however, the Mayor has line-item veto authority over specific items in the budget. Additionally, in the event the Mayor were to disapprove the entire Budget and Appropriation Ordinance, the Charter directs the Mayor to promptly return the ordinance to the Board of Supervisors, accompanied by a statement indicating the reasons for disapproval and any recommendations which the Mayor may have. Any Budget and Appropriation Ordinance so disapproved by the Mayor shall become effective only if, subsequent to its return, it is passed by a two- thirds vote of the Board of Supervisors.

Following the adoption and approval of the Budget and Appropriation Ordinance, the City makes various revisions throughout the fiscal year (the Original Budget plus any changes made to date are collectively referred to herein as the "Revised Budget"). A "Final Revised Budget" is prepared at the end of the fiscal year upon release of the City's Comprehensive Annual Financial Report to reflect the year-end revenue and expenditure appropriations for that fiscal year.

**Multi-Year Budgeting and Planning**

The City's budget involves multi-year budgeting and financial planning, including:

1. Fixed two-year budgets are approved by the Board of Supervisors. For fiscal year 2021-22, four departments had fixed budgets from the prior two-year planning cycle (fiscal year 2019-20 and 2020-21): MTA, PUC, SFO, and the Port. The fiscal year 2021-22 budget was significantly revised in the most recent two-year planning cycle (fiscal year 2021-22 and 2022-23), given significant changes caused by the pandemic. All other departments prepare balanced, rolling two-year budgets for Board approval.

2. Five-year financial plan and update, which forecasts revenues and expenses and summarizes expected public service levels and funding requirements for that period. A five-year financial plan update, including a forecast of expenditures and revenues and proposed actions to balance them in light of strategic goals, was issued by the Mayor, the Budget Analyst for the Board of Supervisors and Controller's Office on January 15, 2021, for fiscal year 2021-22 through fiscal year 2025-26. The Five-Year Financial Plan was updated on March 31, 2021 in a report (the "March Joint Report") issued by the Board of Supervisors Budget and Legislative Analyst, the Mayor's Budget Director and the Controller. The next update of the City's Five-Year Financial Plan is expected to be submitted in Fall 2021. See "Five Year Financial Plan" section below.

3. The Controller's Office proposes to the Mayor and Board of Supervisors financial policies addressing reserves, use of volatile revenues, debt and financial measures in the case of disaster recovery and the City is required to adopt budgets consistent with these policies once approved. The Controller's Office may recommend additional financial policies or amendments to existing policies no later than October 1. Key financial policies that have been enacted include:

    - Non-Recurring Revenue Policy - This policy limits the Mayor's and Board's ability to use for operating expenses the following nonrecurring revenues: extraordinary year-end General Fund balance, the General Fund share of revenues from prepayments provided under long- term leases, concessions, or contracts, otherwise unrestricted revenues from legal judgments and settlements, and other unrestricted revenues from the sale of land or other fixed assets. Under the policy, these nonrecurring revenues may only be used for nonrecurring expenditures that do not create liability for or expectation of substantial ongoing costs, including but not limited to: discretionary funding of reserves, acquisition of capital equipment, capital projects included in the City's capital plans, development of affordable housing, and discretionary payment of pension, debt or other long-term obligations. The Mayor and the Board approved legislation to temporarily suspend this policy. See " Original Budget for Fiscal Years 2021-22 and 2022-23" section for more details.

    - Rainy Day and Budget Stabilization Reserve Policies – These reserves were established to support the City's budget in years when revenues decline. These and other reserves are discussed in detail below. Charter Section 9.113.5 requires deposits into the Rainy Day Reserve if total General Fund revenues for a fiscal year exceed total General Fund revenues for the prior fiscal year by more than five percent. Similarly, if budget year revenues exceed current year revenues by more than five percent, the budget must allocate deposits to the Rainy Day Reserve. The Budget Stabilization Reserve augments the Rainy Day Reserve and is funded through the dedication of 75% of certain volatile revenues. Given the City's projected revenue levels in fiscal years 2020-21, 2021-22, and 2022-23, the City is eligible to withdraw from these reserves and is not required to make any deposits. The fiscal year 2020-21 Original Budget withdraws the maximum permissible amount

from the City's Rainy Day and Budget Stabilization Reserves, but the proposed fiscal year 2021-22 and 2022-23 budgets withdraw *de minimis* amounts, preserving the remaining balance of the reserves. These and other reserves are discussed under Rainy Day Reserve and Budget Stabilization Reserve, as well as the "Original Budget for Fiscal Years 2021-22 and 2022-23" section.

4. The City is required to submit labor agreements for all public employee unions to the Board of Supervisors by May 15, so the fiscal impact of the agreements can be incorporated in the Mayor's proposed June 1 budget. All labor agreements are closed for fiscal years 2020-21 and 2021-22.

**Role of Controller in Budgetary Analysis and Projections**

As Chief Fiscal Officer and City Services Auditor, the City Controller monitors spending for all officers, departments and employees charged with receipt, collection or disbursement of City funds. Under the Charter, no obligation to expend City funds can be incurred without a prior certification by the Controller that sufficient revenues are or will be available to meet such obligation as it becomes due in the then- current fiscal year, which ends June 30. The Controller monitors revenues throughout the fiscal year, and if actual revenues are less than estimated, the City Controller may freeze department appropriations or place departments on spending "allotments" which will constrain department expenditures until estimated revenues are realized. If revenues are in excess of what was estimated, or budget surpluses are created, the Controller can certify these surplus funds as a source for supplemental appropriations that may be adopted throughout the year upon approval of the Mayor and the Board of Supervisors. The City's actual expenditures are often different from the estimated expenditures in the Original Budget due to supplemental appropriations, continuing appropriations of prior years, and unexpended current-year funds. If the Controller estimates revenue shortfalls that exceed applicable reserves and any other allowances for revenue shortfalls in the adopted City budget, upon receipt of such estimates, the Mayor is to inform the Board of Supervisors of actions to address this shortfall. The Board of Supervisors may adopt an ordinance to reflect the Mayor's proposal or alternative proposals in order to balance the budget.

In addition to the five-year planning responsibilities discussed above, Charter Section 3.105 directs the Controller to issue periodic or special financial reports during the fiscal year. Each year, the Controller issues six-month and nine-month budget status reports to apprise the City's policymakers of the current budgetary status, including projected year-end revenues, expenditures and fund balances. The Controller issued the first of these reports, a special fiscal year 2020-21 Three Month Report (the "Three Month Report"), in November 2020; the second of these reports, the fiscal year 2020-21 Six Month Report (the "Six Month Report"), was issued on February 12, 2021; and the third of these reports, the fiscal year 2020-21 Nine Month Report ("Nine Month Report"), was issued on May 13, 2021. The City Charter also directs the Controller to annually report on the accuracy of economic assumptions underlying the revenue estimates in the Mayor's Proposed Budget in the Revenue Letter, the most recent of which was issued on June 8, 2021.

**General Fund Results: Audited Financial Statements**

The City issued the Comprehensive Annual Financial Report, which includes the City's audited financial statements) for fiscal year 2019-20 on March 2, 2021. As of June 30, 2020, the General Fund fund balance available for appropriation in subsequent years was $896.2 million (see Table A-4), which represents an $83.4 million increase in available fund balance from the $812.7 million available as of June 30, 2019. This

increase resulted primarily from greater-than-budgeted property tax revenue and operating surpluses at the Department of Public Health, mostly offset by under-performance in business and other local tax revenues in fiscal year 2019-20.

The General Fund fund balance as of June 30, 2020 was $2.7 billion (shown in Tables A-3 and A-4) using Generally Accepted Accounting Principles ("GAAP"), derived from revenues of $5.5 billion. The City prepares its budget on a modified accrual basis, which is also referred to as "budget basis" in the Comprehensive Annual Financial Report. Accruals for incurred liabilities, such as claims and judgments, workers' compensation, accrued vacation and sick leave pay are funded only as payments are required to be made. Table A-3 focuses on a specific portion of the City's balance sheet; General Fund fund balances are shown on both a budget basis and a GAAP basis with comparative financial information for the fiscal years ended June 30, 2016 through June 30, 2020.

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*TABLE A-3*

**CITY AND COUNTY OF SAN FRANCISCO**
**Summary of General Fund Fund Balances**
**Fiscal Years 2015-16 through 2019-20**
**(000s)**

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|---|---|---|---|---|---|
| Restricted for rainy day (Economic Stabilization account)[1] | $74,986 | $78,336 | $89,309 | $229,069 | $229,069 |
| Restricted for rainy day (One-time Spending account)[2,6] | 45,120 | 47,353 | 54,668 | 95,908 | - |
| Committed for budget stabilization (citywide)[2] | 178,434 | 323,204 | 369,958 | 396,760 | 362,607 |
| Committed for Recreation & Parks savings reserve[4] | 8,736 | 4,403 | 1,740 | 803 | 803 |
| Assigned, not available for appropriation | | | | | |
| Assigned for encumbrances | $190,965 | $244,158 | $345,596 | $351,446 | $394,912 |
| Assigned for appropriation carryforward | 293,921 | 434,223 | 423,835 | 496,846 | 630,759 |
| Assigned for budget savings incentive program (Citywide)[3,6] | 58,907 | 67,450 | 73,650 | 86,979 | - |
| Assigned for salaries and benefits [5] | 18,203 | 23,051 | 23,931 | 28,965 | 25,371 |
| Total Fund Balance Not Available for Appropriation | $869,272 | $1,222,178 | $1,382,687 | $1,686,776 | $1,643,521 |
| Assigned and unassigned, available for appropriation | | | | | |
| Assigned for litigation & contingencies[4] | $145,443 | $136,080 | $235,925 | $186,913 | $160,314 |
| Assigned for subsequent year's budget | 172,128 | 183,326 | 188,562 | 210,638 | 370,405 |
| Unassigned for General Reserve[5] | 76,913 | 95,156 | 106,878 | 130,894 | 78,498 |
| Unassigned - Budgeted for use second budget year | 191,202 | 288,185 | 223,251 | 285,152 | 84 |
| Unassigned - Contingency for second budget year[6] | 60,000 | 60,000 | 160,000 | 308,000 | 510,400 |
| Unassigned - Available for future appropriation | 11,872 | 14,409 | 44,779 | 8,897 | 18,283 |
| Total Fund Balance Available for Appropriation | $657,558 | $777,156 | $959,395 | $1,130,494 | $1,137,984 |
| Total Fund Balance, Budget Basis | $1,526,830 | $1,999,334 | $2,342,082 | $2,817,270 | $2,781,505 |
| Budget Basis to GAAP Basis Reconciliation | | | | | |
| Total Fund Balance - Budget Basis | $1,526,830 | $1,999,334 | $2,342,082 | $2,817,270 | $2,781,505 |
| Unrealized gain or loss on investments | 343 | (1,197) | (20,602) | 16,275 | 36,626 |
| Nonspendable fund balance | 522 | 525 | 1,512 | 1,259 | 1,274 |
| Cumulative Excess Property Tax Revenues Recognized on Budget Basis | (36,008) | (38,469) | (25,495) | (23,793) | (20,655) |
| Cumulative Excess Health, Human Service, Franchise Tax and other Revenues on Budget Basis | (56,709) | (83,757) | (68,958) | (87,794) | (139,590) |
| Inventories | - | - | - | - | 33,212 |
| Pre-paid lease revenue | (5,816) | (5,733) | (6,598) | (6,194) | (6,450) |
| Total Fund Balance, GAAP Basis | $1,429,162 | $1,870,703 | $2,221,941 | $2,717,023 | $2,685,922 |

Source: Office of the Controller, City and County of San Francisco.

[1] Additional information in Rainy Day Reserves section of Appendix A, following this table.

[2] Additional information in Budget Stabilization Reserve section of Appendix A, following this table.

[3] Additional information in Budget Savings Incentive Reserve section of Appendix A, following this table.

[4] Additional information in Salaries, Benefits and Litigation Reserves section of Appendix A, following this table.

The increase in FY18 was largely due to a small number of claims filed against the City with large known or potential settlement stipulations.

[5] Additional information in General Reserves section of Appendix A, following this table.

[6] Includes $507.4 million COVID Response and Economic Loss Reserve. Additional information in the COVID Response and Economic Loss Reserve section of Appendix A, following this table.

In addition to the reconciliation of GAAP versus budget-basis fund balance, Table A-3 shows the City's various reserve balances as designations of fund balance. Key reserves are described further as follows:

**COVID Response and Economic Loss Reserve**

The fiscal year 2020-21 Original Budget consolidated the balances of several City reserves into a single COVID Response and Economic Loss Reserve of $507.4 million in fiscal year 2019-20, as shown as part of "Unassigned Contingency for Second Budget Year" line in Table A-3 above. The COVID Response and Economic Loss Reserve will be available to offset revenue losses or to assist otherwise with balancing of future fiscal year budgets. The Controller has noted that the $507.4 million total balance would be sufficient to offset some, but not all, of the budget risks identified in future years. The Original Budget for fiscal years 2021-22 and 2022-23 draws down $113.5 million of the COVID Response and Economic Loss Reserve to support the continuing costs of the City's continuing COVID-19 response. The remaining balance is split into two new reserves, $100.0 million for a "Federal and State Emergency Grant Disallowance Reserve," and $293.9 million for a "Fiscal Cliff Reserve." The Federal and State Emergency Grant Disallowance Reserve was created for the purpose of managing revenue shortfalls related to reimbursement disallowances from the Federal Emergency Management Agency (FEMA) and other state and federal agencies. The Fiscal Cliff Reserve was created for the purpose of managing projected budget shortfalls following the spend down of federal and state stimulus funds and other one-time sources used to balance the fiscal year 2021-22 and fiscal year 2022-23 budget. See "CITY BUDGET - Original Budget for Fiscal Years 2021-22 and 2022-23."

**Rainy Day Reserve**

The City maintains a Rainy Day Reserve, as shown on the first and second line of Table A-3 above. Charter Section 9.113.5 requires that if total General Fund revenues for the current year exceed total General Fund revenues for the prior year by more than five percent, then the City must deposit anticipated General Fund revenues in excess of that five percent growth into three accounts within the Rainy Day Reserve (see below) and for other lawful governmental purposes. Similarly, if budgeted revenues exceed current year revenues by more than five percent, the budget must allocate deposits to the Rainy Day Reserve. Effective January 1, 2015, Proposition C, passed by the voters in November 2014, divided the existing Rainy Day Economic Stabilization Account into a City Rainy Day Reserve ("City Reserve") and a School Rainy Day Reserve ("School Reserve") for SFUSD, with each reserve account receiving 50% of the existing balance at the time. Deposits to the reserve are allocated as follows:

- 37.5 percent of the excess revenues to the City Reserve;
- 12.5 percent of the excess revenues to the School Reserve (not shown in Table A-3 because it is not part of the General Fund, it is reserved for SFUSD);
- 25 percent of the excess revenues to the Rainy Day One-Time or Capital Expenditures account; and
- 25 percent of the excess revenues to any lawful governmental purpose.

The fiscal year 2019-20 ending balance of the Rainy Day Economic Stabilization City Reserve was $229.1 million, as shown in Table A-3. In the fiscal year 2020-21 Original Budget, $114.5 is withdrawn, resulting in an ending balance of $114.5 million at fiscal 2020-21 year end. The Original Budget withdraws *de minimis* amounts of Rainy Day Reserve in fiscal years 2021-22 and 2022-23, preserving the balance of $114.5 million in those years.

The combined balances of the Rainy Day Reserve's Economic Stabilization account and the Budget Stabilization Reserve are subject to a cap of 10% of actual total General Fund revenues as stated in the City's most recent independent annual audit. Amounts in excess of that cap in any year will be placed in

the Budget Stabilization One-Time Reserve, which is eligible to be allocated to capital and other one-time expenditures. Monies in the City Reserve are available to provide budgetary support in years when General Fund revenues are projected to decrease from prior-year levels (or, in the case of a multi-year downturn, the highest of any previous year's total General Fund revenues). Monies in the Rainy Day One-Time Reserve are available for capital and other one-time spending initiatives.

**Budget Stabilization Reserve**

The City maintains a Budget Stabilization Reserve, as shown on the third line of Table A-3 above. The Budget Stabilization Reserve augments the Rainy Day Reserve and is funded through the dedication of 75% of certain volatile revenues, including Real Property Transfer Tax ("RPTT") receipts in excess of the rolling five-year annual average (adjusting for the effect of any rate increases approved by voters), funds from the sale of assets, and year-end unassigned General Fund balances beyond the amount assumed as a source in the subsequent year's budget.

The combined value of the Budget Stabilization Reserve and the Budget Stabilization One Time Reserve is $362.6 million in fiscal year 2019-20. Because the City's combined Rainy Day Economic Stabilization Reserve and Budget Stabilization Reserve exceeded 10% of General Fund revenues for fiscal year 2019-20, the Budget Stabilization Reserve balance was capped in fiscal year 2019-20 at $307.8 million, with the remaining balance of $54.9 million deposited in the Budget Stabilization One-Time Reserve.

The Budget Stabilization Reserve has the same withdrawal requirements as the Rainy Day Reserve. Withdrawals are structured to occur over a period of three years: in the first year of a downturn, a maximum of 30% of the combined value of the Rainy Day Reserve and Budget Stabilization Reserve could be drawn; in the second year, the maximum withdrawal is 50%; and, in the third year, the entire remaining balance may be drawn. No deposits are required in years when the City is eligible to withdraw.

In the fiscal year 2020-21 Original Budget, $42.0 million is withdrawn from this reserve resulting in a balance of $265.8 million. The Original Budget for fiscal years 2021-22 and 2022-23 makes no withdrawal from this reserve, maintaining the balance of $265.8 million.

**General Reserve**

The City maintains a General Reserve, shown as "Unassigned for General Reserve" in the "assigned and unassigned, available for appropriation" section of Table A-3 above. The General Reserve is to be used for current-year fiscal pressures not anticipated during the budget process. The policy, originally adopted on April 13, 2010, set the General Reserve equal to 1% of budgeted regular General Fund revenues in fiscal year 2012-13 and increasing by 0.25% each year thereafter until reaching 2% of General Fund revenues in fiscal year 2016-17. On December 16, 2014, the Board of Supervisors adopted financial policies to further increase the City's General Reserve from 2% to 3% of General Fund revenues between fiscal year 2017-18 and fiscal year 2020-21 while reducing the required deposit to 1.5% of General Fund revenues in years when the City appropriates a withdrawal from the Rainy Day reserve. The intent of this policy change was to increase reserves available during a multi-year downturn. The fiscal year 2019-20 ending balance of the General Reserve was $78.5 million. As of the Controller's Nine Month Report, the fiscal year 2020-21 ending balance was anticipated to be $78.3 million, as the Board appropriated $0.2 million to forgive fees related to accessory dwelling units. The Original Budget for fiscal years 2021-22 and 2022-23 includes deposits of $3.1 million and $5.8 million, respectively.

**Budget Savings Incentive Reserve**

The Charter requires reserving a portion of Recreation and Parks revenue surplus in the form of the Recreation and Parks Budget Savings Incentive Reserve, as shown on line 4 of Table A-3. The Administrative Code authorizes reserving a portion of departmental expenditure savings in the form of the Citywide Budget Savings Incentive Reserve, also referred to as the "Budget Savings Incentive Fund," as shown with note 4 of the "assigned, not available for appropriation" section of Table A-3. In fiscal year 2019-20, the Recreation and Parks Savings Reserve had a balance of $0.8 million and the balance of the Citywide Budget Savings Incentive Reserve was moved into the COVID Response and Economic Loss Reserve. See "—COVID Response and Economic Loss Reserve" above.

**Salaries, Benefits and Litigation Reserves**

The City maintains two types of reserves to offset unanticipated expenses, which are available to City departments through a Controller's Office review and approval process. These are shown with note 5 in the "assigned, not available for appropriation," and "assigned and unassigned, available for appropriation" sections of Table A-3 above. These include the Salaries and Benefit Reserve (balance of $25.4 million as of fiscal year 2019-20), and the Litigation and Public Health Management Reserve (balance of $136.5 million in fiscal year 2019-20).

**Operating Cash Reserve**

Not shown in Table A-3, under the City Charter, the Treasurer, upon recommendation of the City Controller, is authorized to transfer legally available moneys to the City's operating cash reserve from any unencumbered funds then held in the City's pooled investment fund (which contains cash for all pool participants, including city departments and external agencies such as San Francisco Unified School District and City College). The operating cash reserve is available to cover cash flow deficits in various City funds, including the City's General Fund. From time to time, the Treasurer has transferred unencumbered moneys in the pooled investment fund to the operating cash reserve to cover temporary cash flow deficits in the General Fund and other City funds. Any such transfers must be repaid within the same fiscal year in which the transfer was made, together with interest at the rate earned on the pooled funds at the time the funds were used. See "INVESTMENT OF CITY FUNDS – Investment Policy" herein.

Table A-4, entitled "Statement of Revenues, Expenditures and Changes in General Fund Balances," is extracted from information in the City's published Comprehensive Annual Financial Report through fiscal year 2019-20. Audited financial statements can be obtained from the City Controller's website https://sfcontroller.org/comprehensive-annual-financial-report-cafr. Information from the City Controller's website is not incorporated herein by reference. Excluded from this Statement of General Fund Revenues and Expenditures in Table A-4 are fiduciary funds, internal service funds, special revenue funds (which relate to proceeds of specific revenue sources which are legally restricted to expenditures for specific purposes), and all of the enterprise fund departments of the City, each of which prepares separate audited financial statements.

*TABLE A-4*

**CITY AND COUNTY OF SAN FRANCISCO**

**Statement of Revenues, Expenditures and Changes in General Fund Fund Balances[1]**

**Fiscal Years 2015-16 through 2019-20**

**(000s)**

| | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|---|---|---|---|---|---|
| **Revenues:** | | | | | |
| Property Taxes[2] | $1,393,574 | $1,478,671 | $1,673,950 | $2,248,004 | $2,075,002 |
| Business Taxes | 659,086 | 700,536 | 897,076 | 917,811 | 822,154 |
| Other Local Taxes[3] | 1,054,109 | 1,203,587 | 1,093,769 | 1,215,306 | 996,180 |
| Licenses, Permits and Franchises | 27,909 | 29,336 | 28,803 | 27,960 | 25,318 |
| Fines, Forfeitures and Penalties | 8,985 | 2,734 | 7,966 | 4,740 | 3,705 |
| Interest and Investment Income | 9,613 | 14,439 | 16,245 | 88,523 | 65,459 |
| Rents and Concessions | 46,553 | 15,352 | 14,533 | 14,460 | 9,816 |
| Intergovernmental | 900,820 | 932,576 | 983,809 | 1,069,349 | 1,183,341 |
| Charges for Services | 233,976 | 220,877 | 248,926 | 257,814 | 229,759 |
| Other | 22,291 | 38,679 | 24,478 | 46,254 | 62,218 |
| Total Revenues | $4,356,916 | $4,636,787 | $4,989,555 | $5,890,221 | $5,472,952 |
| **Expenditures:** | | | | | |
| Public Protection | $1,204,666 | $1,257,948 | $1,312,582 | $1,382,031 | $1,479,195 |
| Public Works, Transportation & Commerce | 136,762 | 166,285 | 223,830 | 202,988 | 203,350 |
| Human Welfare and Neighborhood Development | 853,924 | 956,478 | 999,048 | 1,071,309 | 1,252,865 |
| Community Health | 666,138 | 600,067 | 706,322 | 809,120 | 909,261 |
| Culture and Recreation | 124,515 | 139,368 | 142,215 | 152,250 | 155,164 |
| General Administration & Finance | 223,844 | 238,064 | 244,773 | 267,997 | 304,073 |
| General City Responsibilities | 114,663 | 121,444 | 110,812 | 144,808 | 129,941 |
| Total Expenditures | $3,324,512 | $3,479,654 | $3,739,582 | $4,030,503 | $4,433,849 |
| Excess of Revenues over Expenditures | $1,032,404 | $1,157,133 | $1,249,973 | $1,859,718 | $1,039,103 |
| Other Financing Sources (Uses): | | | | | |
| Transfers In | $209,494 | $140,272 | $112,228 | $104,338 | $87,618 |
| Transfers Out | (962,343) | (857,629) | (1,010,785) | (1,468,971) | (1,157,822) |
| Other Financing Sources | 4,411 | 1,765 | - | - | - |
| Other Financing Uses | - | - | (178) | (3) | - |
| Total Other Financing Sources (Uses) | ($748,438) | ($715,592) | ($898,735) | ($1,364,636) | ($1,070,204) |
| Excess (Deficiency) of Revenues and Other Sources Over Expenditures and Other Uses | $283,966 | $441,541 | $351,238 | $495,082 | ($31,101) |
| Total Fund Balance at Beginning of Year | $1,145,196 | $1,429,162 | $1,870,703 | $2,221,941 | $2,717,023 |
| Total Fund Balance at End of Year -- GAAP Basis | $1,429,162 | $1,870,703 | $2,221,941 | $2,717,023 | $2,685,922 |
| Assigned for Subsequent Year's Appropriations and Unassigned Fund Balance, Year End | | | | | |
| -- GAAP Basis | $249,238 | $273,827 | $286,143 | $326,582 | $395,776 |
| -- Budget Basis | $435,202 | $545,920 | $616,592 | $812,687 | $896,172 |

Summary of financial information derived from City CAFRs. Fund balances include amounts reserved for rainy day (Economic Stabilization and One-time Spending accounts), encumbrances, appropriation carryforwards and other purposes (as required by the Charter or appropriate accounting practices) as well as unreserved designated and undesignated available fund balances (which amounts constitute unrestricted General Fund balances).

The City recognized $548.0 million of "Excess Educational Revenue Augmentation Fund (ERAF)" revenue in FY 2018-19, representing FY16-17, FY17-18, and FY18-19 (3 fiscal years) of ERAF. Please see Property Tax section for more information about Excess ERAF.

Other Local Taxes includes sales, hotel, utility users, parking, sugar sweetened beverage, stadium admissions, access line, and cannabis taxes (once it takes effect beginning January 1, 2022).

Sources: Comprehensive Annual Financial Report; Office of the Controller, City and County of San Francisco

**Five-Year Financial Plan and March Update**

The Five-Year Financial Plan ("Plan") is required under Proposition A, a charter amendment approved by voters in November 2009. The Charter requires the City to forecast expenditures and revenues for the next five fiscal years, propose actions to balance revenues and expenditures during each year of the Plan, and discuss strategic goals and corresponding resources for City departments. Proposition A required that a Plan be adopted every two years. Charter Section 9.119 requires that by March 1 of each odd-numbered year, the Mayor submit a Plan to the Board. The City's Administrative Code requires that by March 1 of each even-numbered year, the Mayor, Board of Supervisors Budget Analyst, and Controller submit an updated estimated for the remaining four years of the most recently adopted Plan.

On January 15, 2021, the Mayor, Budget Analyst for the Board of Supervisors, and the Controller's Office issued the Plan for fiscal years 2021-22 through 2025-26 ("Five-Year Plan"), which projected cumulative annual shortfalls of $411.1 million, $242.1 million, $323.7 million, $413.3 and $503.3 million, for fiscal years 2021-22 through 2025-26, respectively. The Five-Year Plan was updated in the March Joint Report.

On March 31, 2021, the Board of Supervisors Budget and Legislative Analyst, the Mayor's Budget Director and the Controller issued a Budget Outlook Update (the "March Joint Report") which contained updates to the City's Five-Year Financial Plan issued in January 2021 (the "January 2021 Projections").

The March Joint Report shows a cumulative deficit projection of $499.3 million by fiscal year 2025-26, which is a $4.0 million improvement from the prior fiscal year 2025-26 deficit of $503.3 million contained in the January 2021 Projections. In the upcoming two fiscal years, the cumulative shortfall was $22.9 million, an improvement of $630.3 million from the $653.2 million deficit as compared to the January 2021 Projections. The March Joint Report noted that the changes to the January 2021 Projections were primarily driven by the following factors:

- American Rescue Plan Act of 2021 ("ARPA"). The March Joint Report forecast assumes $636 million of one-time direct federal aid contained in ARPA from the Coronavirus Local Fiscal Recovery Fund to offset revenue losses in the General Fund in fiscal years 2021-22 and 2022-23 ($318 million each year). By the time of the Original Budget on June 1, 2021, the City received notice that it would receive $624 million of ARPA funds or $312 million in each fiscal year.

- Modest Increase in Local Tax Revenue Projection. Local tax revenues are expected to recover at varying speeds from the stark and immediate losses of fiscal years 2019-20 and 2020-21 throughout the projection period of the Five-Year Financial Plan. The overall trajectory for most local tax revenues in the March Joint Report is similar to the January 2021 Projections; however projected property tax revenues in the March Joint Report are materially higher, largely due to updated State guidance on the calculation of Excess ERAF and revised assumptions about temporary reductions in assessed values. (The March Joint Report assumes that reductions in assessed values for hotel, retail, and unsecured property will be less than projected in the January 2021 Projections.) This positive change is partially offset by additional anticipated weakness in business, hotel, sales, and parking taxes, largely driven by an assumed slower return of office workers and travelers to San Francisco. The March Joint Report also contains revised assumptions concerning the future impact of continued telecommuting on the City's business tax revenues.

- Changing Reserve Assumptions. In the January 2021 Projections, the City anticipated withdrawing $187.9 million of Economic Stabilization Reserves in fiscal year 2021-22 and fiscal year 2022-23, exhausting the full balance in those reserves. Given improvement in the budget outlook, the March Joint Report projections assume the $187.9 million withdrawal of Economic Stabilization Reserves in fiscal year 2021-22, consistent with the adopted budget, but no further withdrawals thereafter. Furthermore, the March Joint Report projects that deposits to these reserves will be required beginning in fiscal year 2023-24. Neither the January 2021 Projections nor the March Joint Report update assumes the use of funds in the COVID Response and Economic Loss Reserve.

- Reductions to Cost of COVID-19 Response. The March Joint Report includes a reduction in projected expenditures needed to support citywide COVID-19 response programming, compared to the January 2021 Projections.

- Salary and Benefits Costs. The March Joint Report assumes salary and benefits savings compared to the January 2021 Projections, primarily due to a higher fiscal year 2020-21 rate of return on the retirement system's investments, and also lower growth in fiscal year 2021-22 of retiree health costs. The March Joint Report assumes there will be no wage delays in closed labor contracts, which would have been triggered under those contract terms if the projected shortfall in the March Joint Report exceeded $200 million.

The March Joint Report notes key factors that could materially impact the City's financial condition, including the following:

- Local General Fund Revenues: Economically sensitive revenues such as business and hotel taxes are still subject to historically high levels of uncertainty as the local and national economies gradually recover from the COVID-19 pandemic, and international travel returns.

- State and federal budget impacts: Federal and state legislative and regulatory actions are driving large revenue improvements in the March Joint Report projection, and any future federal or state legislative and regulatory actions could create additional changes.

- Local COVID-19 Response Costs: The level of need and associated costs of the City's current COVID-19 response programs may exceed the City's current expectations.

- Pending or proposed new programs or legislation: No pending or proposed legislative changes with a fiscal impact are assumed in the March Joint Report with the exception of a $125 million supplemental ordinance. Any legislation adopted by the Mayor and Board of Supervisors with a fiscal impact would increase the projected shortfalls. Several appropriations for new program initiatives are pending at the Board of Supervisors, and others may be proposed.

- Retirement Employer Contribution Rate: While the Retirement System Board has discussed reducing its actuarially assumed rate of return from 7.4% to 7.3% in recent months, it voted to maintain the 7.4% rate at their April 2021 meeting. At the time of the March Joint Report, it had not yet taken action; therefore, the 7.4% rate assumed in the January 2021 Projections remains unchanged. Adoption of the 7.3% rate would have increased employer contribution rates and annual costs by approximately $48 million beginning in FY2021-22.

The March Joint Report notes that: "In the remaining three years of the five-year projection period, a significant structural deficit of over $350 million persists and grows each year as expenditure growth projections outpace revenue growth projections. Closing these shortfalls will require some combination of expenditure reductions and additional revenues, and will likely pose difficult choices for policymakers."

**Original Budget for Fiscal Years 2021-22 and 2022-23**

On June 1, 2021, the Mayor submitted a proposed, balanced budget for fiscal years 2021-22 and 2022-23 to the Board of Supervisors. On July 27, 2021, the Board of Supervisors adopted an amended final budget, and the Mayor approved this budget on July 29, 2021.

The Original Budget totals $13.2 billion for fiscal year 2021-22 and $12.8 billion for fiscal year 2022-23. The General Fund portion is $6.4 billion in fiscal year 2021-22 and $6.3 billion in fiscal year 2022-23. There are 32,180 funded full-time positions in fiscal year 2021-22 and 32,153 in fiscal year 2022-23, representing a year-over-year increase of 402 and a year-over-year decrease of 27 positions, respectively.

On June 8, 2021, the Controller's Office published the Revenue Letter, fulfilling a Charter requirement to comment on the revenue estimates assumed in the Mayor's proposed budget. The Revenue Letter found tax revenue assumptions to be reasonable, but cautioned revenues are highly dependent on the course of economic reopening, will require frequent monitoring, and are subject to updates as conditions change. The Revenue Letter notes the following key assumptions and requirements in the Mayor's proposed budget:

- **Tax revenue assumptions are reasonable and based on the expectation that San Francisco's economy will recover from the public health emergency over several years.** The budget broadly assumes General Fund revenue recovers to pre-pandemic levels by fiscal year 2023-24, with significant projected growth during the two budget years. However, the impact of the pandemic on specific revenues, including hotel, sales and parking taxes, is assumed to linger until fiscal year 2025-26.

  In fiscal year 2021-22, the largest increases in General Fund tax revenues are in property, business, and transfer taxes, with increases of $96.0 million, $130.7 million, and $212.1 million, respectively, from the fiscal year 2020-21 Original Budget. This growth is partially offset by significant reductions in sales and hotel tax versus pre-pandemic levels. In fiscal year 2022-23, General Fund revenue continues to grow from fiscal year 2021-22, with continued strength in property and transfer taxes and rapid growth in business and hotel tax, as the City continues its economic recovery. Fiscal year 2022-23 also assumes $60.0 million in revenue from a new tax on executive pay approved by voters in November 2020.

  The revenue outlook for the City is closely tied to the recovery of sectors most affected by the pandemic: tourism, office industries, and small businesses. The extent to which changes in these sectors, including the prevalence of telecommuting, patterns of out-migration, and declines in conventions and international travel, are temporary or permanent will be critically important to the City's tax base. The Controller's Office will closely monitor and report on revenues, and active management of the City's budget will likely be required by the Mayor and Board of Supervisors.

- **The budget assumes very significant levels of one-time federal funding, primarily from the passage of ARPA in March 2021.** The budget appropriates $624.8 million of ARPA Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) over the two budget years. As discussed in the March Joint Report, this single source is largely responsible for balancing projected shortfalls in fiscal years 2021-22 and 2022-23.

- **The budget relies on other one-time sources including $267.5 million of reserves and use of the $157.3 million current year fund balance projected in the Controller's Nine-Month Report.** The Board of Supervisors has adopted a nonrecurring revenue policy, codified in Administrative Code Section 10.61, which requires selected nonrecurring revenues to be used only for nonrecurring expenditures. As defined by this policy, the fiscal year 2021-22 budget relies on $267.5 million of one-time sources to support $468.9 million of one-time expenditures, in compliance with the City's nonrecurring revenue policy.

- **The Mayor's budget includes, for the first time, several new general and special purpose taxes.** Some of these are sources the City has experience collecting and projecting, including the transportation network tax, the transfer tax rate, the business tax overhaul which adjusted gross receipts tax and business registration rates, commercial rents tax, and homeless gross receipts tax. The risk with these sources is largely commercial real estate volatility and recovery of office-using business sectors. Others are sources that the City has little to no experience collecting or projecting, including the retail vacancy tax, the cannabis tax, and the tax on executive pay, a volatile revenue source due to the narrow base of expected payers, annual fluctuations in the value and form of executive compensation, and possible tax-avoidance behavior, that is budgeted at $60 million in fiscal year 2022-23.

- **The budget preserves the balances of the City's economic stabilization reserves, and code-mandated reserves are funded and maintained at required levels**. The Mayor's proposed budget maintains a balance of $380.3 million in the combined Rainy Day and Budget Stabilization reserves (also known as combined "Economic Stabilization Reserves"), as well as $54.8 million in the Budget Stabilization One-Time Reserve. Pursuant to the City's financial policies, Economic Stabilization Reserves can be fully drawn by fiscal year 2022-23, split 50% in each of the budget years, and the Budget Stabilization One-Time Reserve can be used on one-time uses at any time. General Reserve funding levels in the budget are at code-mandated levels.

- **Voter-adopted spending requirements are met, or exceeded, at a total cost exceeding $1.4 billion annually.** The financial baselines include mandated spending for transit, libraries, schools, early childhood education, homelessness housing and services, street trees, and other programs. Several programs are funded above the required levels, including the Children's Services baseline, Transitional Aged Youth baseline, Recreation and Parks baseline, the Our City, Our Home baseline (November 2018 Proposition C), and the Early Care and Education baseline (June 2018 Proposition C). Finally, the proposed budget prefunds $17.6 million of future Housing Trust Fund requirements in fiscal year 2021-22, which will reduce payments over a five year term beginning in fiscal year 2023-24.

- **The Mayor's budget adheres to the Minimum Compensation Rate**. The Minimum Compensation Ordinance, Section 12P of the Administrative Code, sets a minimum compensation rate for employees at public entities and nonprofit organizations that have contracts with the City. For public entities, the minimum compensation rate is scheduled to increase from $17.25 to $18.00

on July 1, 2021. For nonprofits, the minimum compensation is scheduled to increase at the rate of inflation from $17.05 to $17.34 (1.7%). These increases only go into effect if sufficient funds are appropriated to fund the increases. The proposed budget includes appropriations for the increase in the minimum compensation rate for public entities. It also includes a "cost of doing business" appropriation that provides nonprofits an increase of three percent to their budgets, which is sufficient to support the minimum compensation increase for nonprofits. These compensation increases, therefore, became effective as of July 1, 2021.

The Revenue Letter outlined the following key financial risks:

- While revenue assumptions in the Mayor's proposed budget are reasonable, the City faces several key financial risks in coming fiscal years. These risks include (1) disallowance of claims for federal revenues assumed in the City's emergency response budgets, (2) a slower recovery than assumed in the budget, and (3) the projected structural budget gap following depletion of one-time federal stimulus funds.

    - **Federal revenue risk.** In total since the beginning of the COVID-19 pandemic, the City has budgeted to receive $430 million of reimbursements from the Federal Emergency Management Agency (FEMA), including $49.5 million in the proposed fiscal year 2021-22 budget. Of this total, the City has submitted claims to date of $180.5 million, of which $36.3 million have been approved and $14.6 million have been paid. The balance is subject to risk of both lower claiming than that assumed in the budget and potential disallowance of claimed costs. The federal reimbursement and auditing process will likely continue for the coming fiscal year at a minimum, leaving a key risk to budgeted revenues.

    - **Economic risk.** The proposed budget assumes an economic recovery will drive annual tax revenue growth of $251.2 million in fiscal year 2021-22 and $502.7 million in fiscal year 2022-23. While these assumptions track to the City's economic and financial projections, they are subject to significant uncertainty. Key factors to monitor include whether public health conditions in the City will remain relatively favorable and continue to permit a growing amount of economic activity to resume; whether large-scale telecommuting will wane rapidly in the coming two fiscal years as assumed in these projections; and whether the local hospitality and convention industries will recover at the pace underpinning these tax revenue projections. Changes in these key factors would drive significant variances in actual financial revenue performance.

    - **Structural budget challenges in future fiscal years.** As noted above, the Mayor's proposed budget is balanced with a heavy reliance on one-time sources, most notably federal stimulus funds allocated to the City under the ARPA. As proposed, these funds would be depleted over the two-year budget period, leaving a structural budget challenge, projected to be $350 million in fiscal year 2023-24 and $499.3 million in fiscal year 2025-26 in the March Joint Report. While these projected future year shortfalls are modestly mitigated by actions proposed in the Mayor's proposed budget, significant gaps are likely to remain in fiscal years beyond the two-year budget period.

- The Mayor's proposed budget preserves and repurposes several key reserve balances in response to these risks. The Mayor's proposed budget reassigns $100.0 million of the COVID Response and Economic Loss contingency reserve to a Federal and State Emergency Grant Disallowance Reserve

to manage potential revenue shortfalls related to potential reimbursement disallowances and $293.9 million to a Fiscal Cliff Reserve for the purpose of managing anticipated budget shortfalls in fiscal year 2023-24 and beyond. Additionally, the Mayor's proposed budget maintains a balance of $380.3 million in the combined Rainy Day and Budget Stabilization reserves (also known as combined "Economic Stabilization Reserves"), as well as $54.8 million in the Budget Stabilization One-Time Reserve.

**Other Budget Updates: Fiscal Year 2020-21 Nine-Month Budget Status Report**

The Controller's Office provides periodic budget status updates to the City's policy makers during each fiscal year, as required by the City Charter Section 3.105. Most recently, the Nine-Month budget status report (the "Nine-Month Report") was released on May 13, 2021.

The Nine-Month Report indicates a projected General Fund net surplus of $157.3 million in fiscal year 2020-21 (as compared to the surplus reported in the Six-Month Report, which was subsequently appropriated by the Mayor and Board of Supervisors in the current year).

TABLE A-5

**Nine Month Report**
**Fiscal Year 2020-21 Projected General Fund Variances to Prior Projection ($ million)**

| **Changes from Six Month Projection** | |
|---|---|
| Fiscal Year 2019-20 estimated fund balance (audited) | $0 |
| Citywide Revenue | 146.1 |
| Baseline Offsets | (18.1) |
| Departmental Revenues and Expenditures | 29.4 |
| **Surplus / (Shortfall)** | **$157.3** |

The following is a discussion of certain elements of the revised fiscal year 2020-21 projections in the Nine-Month Report:

- Local revenue trends are consistent with previous projections, with two positive exceptions that account for the majority of the projected ending balance. First, state regulatory actions are driving large improvements in excess ERAF revenue, offset by mixed performance of local tax revenues. State guidance on the calculation of excess ERAF increased revenue by $83.4 million over Six-Month Report projections. Second, real property transfer taxes are projected to exceed budgeted levels due to a greater number of large commercial sales than previously anticipated. Weakness in hotel, sales and business taxes are offset by overall improvement in projected department revenues and expenditures.

- Economically sensitive revenues are subject to historically high levels of uncertainty given the course of the pandemic and its economic effects. Business tax revenues are projected to be $165.9 million below revised budget and $35.7 million below Six-Month Report projections, given the delay in resumption of office work. Postponement of the tax year 2020 business tax filing deadline from March 1 to April 30, 2020, has resulted in some uncertainty about fiscal year 2020-2021 revenue; although initial results came in above projection, receipts are still being evaluated.

General Fund hotel tax revenues are projected to be $20.6 million for the fiscal year, $105.6 million below budget and $7.2 million below prior projections, given year to date receipts. Sales tax revenues are $51.5 million below budget, or $8.0 million less than prior projections.

- Projected spending and revenues supporting the City's COVID-19 emergency response have declined since the last projection. Projected emergency response spending in the current year of $632.6 million are supported by federal, state, and dedicated local revenues of $409.6 million, for net General Fund costs of $169.9 million. The projected ending General Fund project balance, which is available to support response costs in the upcoming fiscal year, has declined by $24.3 million from the City's last projection.

- ARPA Coronavirus Local Fiscal Relief Funds are not included in these projections. ARPA included $350 billion in aid to state and local governments. San Francisco's direct allocation, initially estimated by the United States Treasury at $636.0 million but confirmed to be $624.8 million, will be received in two equal tranches, one in the current year and one in the budget year. The Five Year Financial Plan assumes the first half of the funds will be spent in fiscal year 2021-22 and second half in fiscal year 2022-23.

Periodic budget status updates are provided by the Controller in accordance with reporting requirements of the Charter. The level of uncertainty regarding City revenues and expenditures remains extraordinarily high, driven by the economic and financial impacts of the public health emergency. The City can give no assurances that the COVID-19 pandemic will not result in further adverse impacts on the City's financial condition (including continuing reductions in revenues and/or increases in expenses).

**BUDGETARY RISKS**

**Threat of Extended Recession**

Following the widespread shutdown of businesses and supply chain disruption in response to the COVID-19 pandemic, on June 8, 2020 the National Bureau of Economic Research announced that the US officially entered into a recession in February 2020. According to the California Employment Development Department, the State's unemployment rate hit a record high of 16.4% in April 2020 and has decreased to 7.5% as of August 2021. In the "Great Recession" that occurred nationally from December 2007 to June 2009 (according to the U.S. National Bureau of Economic Research), California real GDP growth slowed for five consecutive quarters from the third quarter of 2008 to the third quarter of 2009 and did not return to pre-recession level of output until three years later in the third quarter of 2012. The unemployment rate rose steadily from 4.9% in the fourth quarter of 2006 to peak at 12.3 percent in the fourth quarter of 2010 and did not return to the pre-recession level until the second quarter of 2017. More than a third of California jobs are in sectors that are immediately vulnerable to stay-at-home emergency orders. The possibility of a prolonged anemic economic recovery from the pandemic remains.

**Commuting Pattern Changes**

The sudden and sharp increase in telecommuting creates revenue risk. Approximately half of workers in major tax-paying sectors such as professional services, financial services, and information live outside of San Francisco. Extended periods of working at-home during the pandemic may affect how much of any business's payroll expense and gross receipts could be apportionable to San Francisco. Some of the City's largest private employers instructed their employees to telecommute whenever possible, as evidenced by BART ridership declining to a low of almost 90% below its pre-COVID-19 baseline ridership. Businesses owe payroll tax only on their employees physically working within the City. For certain categories of businesses, the gross receipts tax is also dependent on their San Francisco payroll. Thus, the sharp rise in telecommuting could result in reduced business taxes. Although some San Francisco residents who previously commuted out of the City are now telecommuting from within the City, many of these residents work for employers who do not have a nexus in the City, and thus are not subject to business taxes.

**COVID-19 Pandemic**

The COVID-19 pandemic is ongoing, and the City will likely incur significant additional costs, depending on the ultimate duration and severity of the pandemic. The City can give no assurance of the duration or severity of the COVID-19 pandemic, and there is no assurance that its effects will not impose more significant financial and operating effects on the City before mitigation measures are successfully implemented. For additional information see "PUBLIC HEALTH EMERGENCY – COVID-19."

**Bankruptcy Filing by the Pacific Gas and Electric Company (PG&E)**

On January 29, 2019, PG&E filed for Chapter 11 bankruptcy protection to shield itself from potential wildfire liability that was estimated upwards of $30 billion. Taxes and fees paid by PG&E to the City total approximately $75 million annually and include property taxes, franchise fees and business taxes, as well as the utility user taxes it remits on behalf of its customers.

On June 20, 2020, the United States Bankruptcy Court for the Northern District of California confirmed PG&E's Plan of Reorganization, and on July 1, 2020 PG&E announced that it had emerged from Chapter 11 bankruptcy. As part of its restructuring, on June 9, PG&E announced that it would be relocating its business headquarters, currently located at 245 Market Street and 77 Beale Street in San Francisco, to Oakland. The relocation is scheduled to begin June 2022.

During the pendency of the PG&E bankruptcy, on September 6, 2019 the City submitted a non-binding indication of interest ("IOI") to PG&E and PG&E Corporation to purchase substantially all of PG&E's electric distribution and transmission assets needed to provide retail electric service to all electricity customers within the geographic boundaries of the City ("Target Assets") for a purchase price of $2.5 billion (such transaction, the "Proposed Transaction"). In a letter dated October 7, 2019, PG&E declined the City's offer. On November 4, 2019, the City sent PG&E a follow-up letter reiterating its interest in acquiring the Target Assets. To demonstrate public support for the Proposed Transaction, on January 14, 2020, the City's Board of Supervisors and the PUC's Commission conditionally authorized the sale of up to $3.065 billion of Power Enterprise Revenue Bonds to finance the acquisition of the Target Assets and related costs, subject to specific conditions set forth in each authorizing resolution.

The City is unable to predict whether it will be able to consummate a final negotiated acquisition price for the Target Assets and, if so, the terms thereof. Any such final terms would be subject to approval by the Board of Supervisors and the Commission. If consummated, it is expected that such new electric system would be wholly supported by its own revenues, and no revenues of the City's general fund would be available to pay for system operations, or City general fund secured bonds issued to acquire the Target Assets. The City is committed to acquiring PG&E's assets and expects to continue its pursuit with the newly reorganized entity.

**Impact of Recent Voter-Initiated and Approved Revenue Measures on Local Finances**

On August 28, 2017, the California Supreme Court in California Cannabis Coalition v. City of Upland (August 28, 2017, No. S234148) ("Upland Decision") interpreted Article XIIIC, Section 2(b) of the State Constitution, which requires local government proposals imposing general taxes to be submitted to the voters at a general election (i.e. an election at which members of the governing body stand for election). The court concluded such provision did not to apply to tax measures submitted through the citizen initiative process. Under the Upland Decision, citizens exercising their right of initiative may now call for general or special taxes on the ballot at a special election (i.e. an election where members of the governing body are not standing for election). The court did not, however, resolve whether a special tax submitted by voter initiative needs only simple majority voter approval, and not the super-majority (i.e. two-thirds) voter approval required of special taxes placed on the ballot by a governing body. On June 5, 2018 voters of the City passed by majority vote two special taxes submitted through the citizen initiative process: a Commercial Rent Tax for Childcare and Early Education ("June Proposition C") and a Parcel Tax for the San Francisco Unified School District ("Proposition G" and, together with June Proposition C, the "June Propositions C and G"). In addition, on November 6, 2018 voters passed by a majority vote a special tax submitted through the citizen initiative process: a Homelessness Gross Receipts Tax ("November Proposition C"), a gross receipts tax on larger companies in the City to fund affordable housing, mental health, and other homeless services. The estimated annual values of June Propositions C and G are approximately $150 million and $50 million, respectively. The estimated annual value of November Proposition C is approximately $250 million to $300 million.

In August 2018, the Howard Jarvis Taxpayers Association and several other plaintiffs filed a reverse validation action in San Francisco Superior Court challenging the validity of June Proposition C. In September 2018 the City initiated a validation action in the same court seeking a judicial declaration of the validity of Proposition G. In January 2019, the City initiated a similar validation action in the same court concerning November Proposition C.

On July 5, 2019, the San Francisco Superior Court granted the City's dispositive motions in the lawsuits concerning June Proposition C and November Proposition C, concluding that both measures, which proposed tax increases for specific purposes, required only a simple majority for approval because they were put on the ballot through a citizen signature petition. The Howard Jarvis Taxpayers Association and other petitioners/plaintiffs appealed the decision in the litigation concerning June Proposition C, and the California Business Properties Association and the other defendants/respondents appealed the decision in the litigation concerning November Proposition C.

On June 30, 2020, the Court of Appeal upheld the decision of the trial court in the litigation concerning November Proposition C. The Howard Jarvis Taxpayers Association sought review in the California Supreme Court of this decision. Briefing in the appeal concerning June Proposition C is not yet complete, and no oral argument has been scheduled.

On September 9, 2020, the California Supreme Court declined to take an appeal by the Howard Jarvis Taxpayers Association of the Court of Appeal's ruling in the City's favor regarding November Proposition C. As noted above, cases relating to June Proposition C and Proposition G are still pending at the Court of Appeal. These cases will proceed through the judicial process.

The Original Budget for fiscal year 2020-21 appropriated $589.6 million of the November Proposition C funds for various voter-adopted purposes. With the Supreme Court decision to uphold the trial court, these funds are now free of legal risk on the voter threshold issue and the City is able to spend these funds. Of this total, the Original Budget assumed repayment to the General Fund of $196 million in advances made in previous years to begin to implement these programs.

The Original Budget for fiscal year 2020-21 also appropriated $379.8 million of funds resulting from the contested commercial rents tax measure and programs those funds for voter-adopted childcare expenditures. Of this total, $106.8 million supported the General Fund budget. These funds were at risk and could only be released following a final court ruling in the City's favor or voter adoption of the 2020 Proposition F on the November ballot. The Court has upheld trial court decisions in both Proposition C's allowing for revenue to be recognized and funds to be released from the Controller's Reserve. See "CITY BUDGET – Role of Controller in Budgetary Analysis and Projections" for the process in the event revenue shortfalls exceed applicable reserves and any other allowances for revenue shortfalls in the Original Budget.

Parcel taxes collected for teacher compensation are similarly reserved until the legal proceedings conclude, although the adoption of Proposition J on the November 2020 ballot by a two-thirds vote removed the legal risks on the voter threshold issue going forward and will allow the appropriation of future funds collected under the new tax.

The November 2020 ballot included three major revenue initiatives, which significantly impact local finance. All three measures passed.

- A business tax reform measure, which would have increased the gross receipts tax on certain taxpayers and impose new replacement general taxes on the gross receipts from the lease of certain commercial space or larger businesses if two contested 2018 (June Proposition C and November Proposition C) business tax measures had been struck down. This measure was assumed in the Original Budget such that $330.8 million of new revenue transfers into the General Fund are assumed to repay prior year General Fund advances made for these purposes. As discussed above, on September 9, 2020, the California Supreme Court declined to take an appeal by the Howard Jarvis Taxpayers Association regarding November Proposition C, Homeless Gross Receipts Tax, allowing the lower court decisions in the City's favor to stand. The Courts subsequently upheld both propositions.

- A transfer tax rate increase, doubling the rates on real property transfers over $10 million. The Controller's Office estimates the measure could increase transfer tax revenue between $13.0 million to $346.0 million. This measure was not assumed in the Original Budget for fiscal year 2020-21, but it is assumed in the Nine-Month Report, Five Year Financial Plan and update, and the recently adopted budget.

- An additional business tax on businesses with disproportionate executive pay, which the Controller's Office estimates could increase the City's revenue by $60 to $140 million annually. This measure is assumed in the Five Year Financial Plan and update, and the recently adopted budget.

**Impact of the State of California Budget on Local Finances**

Revenues from the State represent approximately 13% of the General Fund revenues appropriated in the Mayor's proposed budget for fiscal years 2021-22 and 2022-23, and thus changes in State revenues could have a material impact on the City's finances. In a typical year, the Governor releases two primary proposed budget documents: 1) the Governor's Proposed Budget required to be submitted in January; and 2) the "May Revise" to the Governor's Proposed Budget. The Governor's Proposed Budget is then considered and typically revised by the State Legislature. Following that process, the State Legislature adopts, and the Governor signs, the State budget. City policy makers review and estimate the impact of both the Governor's Proposed and May Revise Budgets prior to the City adopting its own budget.

On July 12, 2021, the Governor adopted the State of California's final budget for fiscal year 2021-22. The General Fund budget is $196.4 billion, $30.4 billion more than fiscal year 2020-21. San Francisco is expected to benefit from the State's budget through the expansion of homelessness funding, which includes $2 billion of funding Statewide, over two years, for the Homeless Housing, Assistance and Prevention HHAP Grant. The budget also authorizes additional Project Homekey funds, another important source of county homelessness funding. The final budget also expands Medi-Cal to undocumented adults and invests in health equity through other State-adopted programs.

The State's fiscal year 2020-21 budget required the State Controller's Office (SCO), which regularly audits all counties' allocations of property tax revenue, to issue guidelines for counties to use in the calculation and allocation of ERAF by the end of December 2020, applicable to fiscal years 2019-20 and forward only. The City has received guidance on the calculation of excess ERAF from the California State Controller's Office. There are currently no proposed State legislative changes introduced, creating greater certainty about excess ERAF revenue in the next year.

**Impact of Federal Government on Local Finances**

The City receives substantial federal funds for assistance payments, social service programs and other programs. A portion of the City's assets are also invested in securities of the United States government. The City's finances may be adversely impacted by fiscal matters at the federal level, including but not limited to cuts to federal spending.

In the event Congress and the President fail to enact appropriations, budgets or debt ceiling increases on a timely basis in the future, such events could have a material adverse effect on the financial markets and economic conditions in the United States and an adverse impact on the City's finances. The City cannot predict the outcome of future federal budget deliberations and the impact that such budgets will have on the City's finances and operations. The City's General Fund and hospitals, which are supported by the General Fund, collectively receive over $1 billion annually in federal subventions for entitlement programs, the large majority of which are reimbursements for care provided to Medicaid and Medicare recipients. In addition, tens of thousands of San Franciscans receive federal subsidies to purchase private insurance on the State's health care exchange, Covered California. Efforts to change such subsidies or alter provisions of the Affordable Care Act through regulatory changes could have significant effects on future health care costs.

Under the CARES Act, the United States Treasury department distributed $150 billion to state and local governments within 30 days of enactment under a population-based formula. The statute limits the use

of funds to COVID-19 expense reimbursement rather than to offset anticipated State tax revenue losses. The City has received a direct allocation of $153.8 million from this Coronavirus Relief Fund, which was used to cover COVID-19-related medical, public health, economic support, and other emergency response costs. In addition, the State has allocated $20.7 million of its allocation to the City, for the same purposes. The federal government also provides significant funding for COVID-19 expenses through FEMA.

On December 27, 2020, the president signed H.R. 133 Consolidated Appropriations Act 2021, funding the federal government for the rest of the federal fiscal year 2020-21 and providing additional COVID-19 relief for individuals, businesses, and health care providers affected by the COVID-19 pandemic. The legislation addresses key priorities for public health systems, including extension of Medicaid DSH cuts to fiscal year 2023-24 and an additional $3 billion in Provider Relief Funding (PRF) created in the CARES Act. In addition, the Center for Medicare and Medicaid Services granted a one-year extension of California's Section 1115(a) Medicaid waiver, which was set to expire on December 31, 2020. The bill did not include additional support for state and local government. The funding from H.R. 133 was not reflected in the Original Budget for fiscal year 2020-21.

On March 11, 2021, President Biden signed H.R. 1319, the American Rescue Plan Act of 2021 ("ARPA"). The bill includes $350 billion in state and local government fiscal aid to augment allocations provided in the CARES Act Coronavirus Relief Fund ("CRF"), through which San Francisco is to directly receive $624.8 million. Distributions will occur in two tranches, one each in 2021 and 2022, and be required to be spent by December 31, 2024. Allowable uses include COVID-19 response or mitigation of the negative economic impacts of it, such as assistance to households, small businesses, nonprofits, and aid to impacted industries. A critical improvement versus CRF funds is that ARPA funds may be used for the provision of government services to the extent of the reduction in revenue. The bill contains $195 billion of aid to states; however, it is not yet known whether California will pass through a portion of its aid to local governments, as it did with its CRF funding. In addition, San Francisco will likely benefit from other subventions and grants authorized in the bill. This funding is assumed in the Original Budget for fiscal years 2021-22 and 2022-23.

**THE SUCCESSOR AGENCY**

*Effect of the Dissolution Act*

The San Francisco Redevelopment Agency (herein after the "Former Agency") was organized in 1948 by the Board of Supervisors pursuant to the Redevelopment Law. The Former Agency's mission was to eliminate physical and economic blight within specific geographic areas of the City designated by the Board of Supervisors. The Former Agency had redevelopment plans for nine redevelopment project areas.

As a result of AB 1X 26 and the decision of the California Supreme Court in the *California Redevelopment Association* case, as of February 1, 2012, (collectively, the "Dissolution Act"), redevelopment agencies in the State were dissolved, including the Former Agency, and successor agencies were designated as successor entities to the former redevelopment agencies to expeditiously wind down the affairs of the former redevelopment agencies and also to satisfy "enforceable obligations" of the former redevelopment agencies all under the supervision of a new oversight board, the State Department of Finance and the State Controller.

Pursuant to Ordinance No. 215-12 passed by the Board of Supervisors of the City on October 2, 2012 and signed by the Mayor on October 4, 2012, the Board of Supervisors (i) officially gave the following name to

the successor to the Former Agency: the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco,"(the "Successor Agency") also referred to as the "Office of Community Investment & Infrastructure" ("OCII"), (ii) created the Successor Agency Commission as the policy body of the Successor Agency, (iii) delegated to the Successor Agency Commission the authority to act to implement the surviving redevelopment projects, the replacement housing obligations of the Former Agency and other enforceable obligations and the authority to take actions that AB 26 and AB 1484 require or allow and (iv) established the composition and terms of the members of the Successor Agency Commission.

Because of the existence of enforceable obligations, the Successor Agency is authorized to continue to implement, through the issuance of tax allocation bonds, certain major redevelopment projects that were previously administered by the Former Agency: (i) the Mission Bay North and South Redevelopment Project Areas, (ii) the Hunters Point Shipyard Redevelopment Project Area and Zone 1/Candlestick Point of the Bayview Hunters Point Redevelopment Project Area, and (iii) the Transbay Redevelopment Project Area (collectively, the "Major Approved Development Projects"). The Successor Agency exercises land use, development and design approval authority for the Major Approved Development Projects. The Successor Agency, in addition to other various City agencies and entities, also issues community facilities district ("CFD") bonds from time to time to facilitate development in the major approved development projects in accordance with the terms of such enforceable obligations.

**GENERAL FUND REVENUES**

The revenues discussed below are recorded in the General Fund, unless otherwise noted.

**PROPERTY TAXATION**

**Property Taxation System – General**

The City receives approximately one-third of its total General Fund operating revenues from local property taxes. Property tax revenues result from the application of the appropriate tax rate to the total assessed value of taxable property in the City. The City levies property taxes for general operating purposes as well as for the payment of voter-approved bonds. As a county under State law, the City also levies property taxes on behalf of all local agencies with overlapping jurisdiction within the boundaries of the City.

Local property taxation is the responsibility of various City officers. The Assessor computes the value of locally assessed taxable property. After the assessed roll is closed on June 30th, the Controller issues a Certificate of Assessed Valuation in August which certifies the taxable assessed value for that fiscal year. The Controller also compiles a schedule of tax rates including the 1.0% tax authorized by Article XIIIA of the State Constitution (and mandated by statute), tax surcharges needed to repay voter-approved general obligation bonds, and tax surcharges imposed by overlapping jurisdictions that have been authorized to levy taxes on property located in the City. Typically, the Board of Supervisors approves the schedule of tax rates each year by resolution no later than the last working day of September. The Treasurer and Tax Collector prepares and mails tax bills to taxpayers and collects the taxes on behalf of the City and other overlapping taxing agencies that levy taxes on taxable property located in the City. The Treasurer holds and invests City tax funds, including taxes collected for payment of general obligation bonds, and is charged with payment of principal and interest on such bonds when due. The State Board of Equalization assesses certain special classes of property, as described below. See "Taxation of State-Assessed Utility Property" below.

**Assessed Valuations, Tax Rates and Tax Delinquencies**

Table A-6 provides a recent history of assessed valuations of taxable property within the City. The property tax rate is composed of two components: 1) the 1.0% countywide portion, and 2) all voter-approved overrides which fund debt service for general obligation bond indebtedness. It is possible that the COVID-19 pandemic will result in a reduction in property values in the City, and such reduction could be material.

The total tax rate shown in Table A-6 includes taxes assessed on behalf of the City as well as the San Francisco Unified School District (SFUSD), County Office of Education (SFCOE), San Francisco Community College District (SFCCD), Bay Area Air Quality Management District (BAAQMD), and San Francisco Bay Area Rapid Transit District (BART), all of which are legal entities separate from the City. See also, Table A-33: "Statement of Direct and Overlapping Debt and Long-Term Obligations." In addition to *ad valorem* taxes, voter-approved special assessment taxes or direct charges may also appear on a property tax bill.

Additionally, although no additional rate is levied, a portion of property taxes collected within the City is allocated to the Office of Community Investment and Infrastructure (OCII), the successor agency to the San Francisco Redevelopment Agency. Property tax revenues attributable to the growth in assessed value of taxable property (known as "tax increment") within the adopted redevelopment project areas may be utilized by OCII to pay for outstanding and enforceable obligations and a portion of administrative costs of the agency, reducing tax revenues from those parcels located within project areas to the City and other local taxing agencies, including SFUSD and SFCCD. Taxes collected for payment of debt service on general obligation bonds are not affected or diverted. OCII received $155.5 million of property tax increment in fiscal year 2019-20 for recognized obligations, diverting about $86.5 million that would have otherwise been apportioned to the City's General Fund.

The percent collected of property tax (current year levies excluding supplemental) was 99.05% for fiscal year 2019-20. Foreclosures, defined as the number of trustee deeds recorded by the Assessor-Recorder's Office, numbered 67 for the fiscal year 2020-2021. For fiscal year 2019-20 a total of 99 trustee deeds were recorded compared to 86 for the fiscal year 2018-19, 111 for fiscal year 2017-18 and 92 for fiscal year 2016-17. It is possible that the COVID-19 pandemic will result in increased foreclosures in the City, and the effect of such increased foreclosures could be material.

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*TABLE A-6*

**CITY AND COUNTY OF SAN FRANCISCO**
**Assessed Valuation of Taxable Property**
**Fiscal Years 2008-09 through 2021-22**
**(000s)**

| Fiscal Year | Net Assessed [1] Valuation (NAV) | % Change from Prior Year | Total Tax Rate per $100 [2] | Total Tax Levy [3] | Total Tax Collected [3] | % Collected June 30 |
|---|---|---|---|---|---|---|
| 2008-09 | 141,274,628 | 8.7% | 1.163 | 1,702,533 | 1,661,717 | 97.6% |
| 2009-10 | 150,233,436 | 6.3% | 1.159 | 1,808,505 | 1,764,100 | 97.5% |
| 2010-11 | 157,865,981 | 5.1% | 1.164 | 1,888,048 | 1,849,460 | 98.0% |
| 2011-12 | 158,649,888 | 0.5% | 1.172 | 1,918,680 | 1,883,666 | 98.2% |
| 2012-13 | 165,043,120 | 4.0% | 1.169 | 1,997,645 | 1,970,662 | 98.6% |
| 2013-14 | 172,489,208 | 4.5% | 1.188 | 2,138,245 | 2,113,284 | 98.8% |
| 2014-15 | 181,809,981 | 5.4% | 1.174 | 2,139,050 | 2,113,968 | 98.8% |
| 2015-16 | 194,392,572 | 6.9% | 1.183 | 2,290,280 | 2,268,876 | 99.1% |
| 2016-17 | 211,532,524 | 8.8% | 1.179 | 2,492,789 | 2,471,486 | 99.1% |
| 2017-18 | 234,074,597 | 10.7% | 1.172 | 2,732,615 | 2,709,048 | 99.1% |
| 2018-19 | 259,329,479 | 10.8% | 1.163 | 2,999,794 | 2,977,664 | 99.3% |
| 2019-20 | 281,073,307 | 8.4% | 1.180 | 3,509,022 | 3,475,682 | 99.0% |
| 2020-21 | 299,686,811 | 6.6% | 1.198 | 3,823,246 | 3,785,038 | 99.0% |
| 2021-22 | 311,997,808 [4] | 4.1% | 1.182 | N/A | N/A | N/A |

[1] Net Assessed Valuation (NAV) is Total Assessed Value for Secured and Unsecured Rolls, less Non-reimbursable Exemptions and Homeowner Exemptions.

[2] Annual tax rate for unsecured property is the same rate as the previous year's secured tax rate.

[3] The Total Tax Levy and Total Tax Collected through fiscal year 2020-21 is based on year-end current year secured and unsecured levies as adjusted through roll corrections, excluding supplemental assessments, as reported to the State of California (available on the website of the California SCO). Total Tax Levy for fiscal year 2021-22 is based upon initial assessed valuations times the secured property tax rate to provide an estimate.

[4] Based on initial assessed valuations for fiscal year 2021-22

Source: Office of the Controller, City and County of San Francisco.

SCO source noted in (3): http://www.sco.ca.gov/Files-ARD-Tax-Info/TaxDelinq/sanfrancisco.pdf

At the start of fiscal year 2021-22, the total net assessed valuation of taxable property within the City was approximately $312.0 billion. Of this total, $295.2 billion (94.6%) represents secured valuations and $16.8 billion (5.4%) represents unsecured valuations. See "Tax Levy and Collection" below, for a further discussion of secured and unsecured property valuations.

Proposition 13 limits to 2% per year the increase in the assessed value of property, unless it is sold, or the structure is improved. The total net assessed valuation of taxable property therefore does not generally reflect the current market value of taxable property within the City and is in the aggregate substantially less than current market value. For this same reason, the total net assessed valuation of taxable property lags behind changes in market value and may continue to increase even without an increase in aggregate market values of property.

Under Article XIIIA of the State Constitution added by Proposition 13 in 1978, property sold after March 1, 1975 must be reassessed to full cash value at the time of sale. Taxpayers can appeal the Assessor's

determination of their property's assessed value, and the appeals may be retroactive and for multiple years. The State prescribes the assessment valuation methodologies and the adjudication process that counties must employ in connection with counties' property assessments.

The City typically experiences increases in assessment appeals activity during economic downturns and decreases in assessment appeals as the economy rebounds. During the severe economic downturn of fiscal years 2009-10 and 2010-11, partial reductions of up to approximately 30% of the assessed valuations appealed were granted. Assessment appeals granted typically result in revenue refunds, and the level of refund activity depends on the unique economic circumstances of each fiscal year. Other taxing agencies such as SFUSD, SFCOE, SFCCD, BAAQMD, and BART share proportionately in any refunds paid as a result of successful appeals. To mitigate the financial risk of potential assessment appeal refunds, the City funds appeal reserves for its share of estimated property tax revenues for each fiscal year. In the period following the Great Recession, assessment appeals increased significantly. In fiscal year 2010-11, the Assessor granted 18,841 temporary reductions in residential property assessed value worth a total of $2.35 billion, compared to 18,110 temporary reductions with a value of $1.96 billion granted in fiscal year 2009-10. As described further below, the number of new assessment appeals filed as of December 31, 2020, which represents approximately 1.0% of all parcels in San Francisco, was almost double the number of new assessment appeals filed during the same period last year.

It is possible that the current global and national recession and economic dislocation resulting from the COVID-19 pandemic will result in declines in real estate values in the City, and such declines could be material.

Appeals activity is reviewed each year and incorporated into the current and subsequent years' budget projections of property tax revenues. Refunds of prior years' property taxes from the discretionary General Fund appeals reserve fund for fiscal years 2013-14 through 2019-20 are listed in Table A-7 below.

*TABLE A-7*

**CITY AND COUNTY OF SAN FRANCISCO**
**Refunds of Prior Years' Property Taxes**
**General Fund Assessment Appeals Reserve**
**Fiscal Years 2013-14 through 2019-20**
**(000s)**

| Fiscal Year | Amount Refunded |
|---|---|
| 2013-14 | $25,756 |
| 2014-15 | 16,304 |
| 2015-16 | 16,199 |
| 2016-17 | 33,397 |
| 2017-18 | 24,401 |
| 2018-19 | 30,071 |
| 2019-20 | 17,900 |

Source: Office of the Controller, City and County of San Francisco.

A property's annual assessed value is determined as of January 1 of the year preceding the fiscal year for which taxes are billed and paid. Under California's Proposition 13, a property's annual assessed value is the lesser of (1) its base year value (fair market value as of the date of change in ownership or completion of new construction), factored for inflation at no more than two percent per year; or (2) its fair market value as of January 1 of the year preceding the fiscal year for which property taxes are billed and paid. If a property's fair market value falls below its factored base year value, the reduced value is enrolled on a temporary basis (for one year) and is commonly referred to as a "Proposition 8" reduction, after the 1978 initiative. However, if a property's base year value is reduced, then that reduced value carries forward for factoring purposes until the next change in ownership or completion of new construction.

Assessors in California have authority to use Proposition 8 criteria to apply reductions in valuation to classes of properties affected by any factors affecting value, including but not limited to negative economic conditions. For the fiscal year 2021-22, the Assessor had granted 8,273 temporary decline-in-value reductions resulting in assessed value reduction of $1.19 billion, citywide, through the period ending July 1, 2021, and subsequently granted an additional $1.1 billion of temporary Proposition 8 roll corrections, for a total decline of over $2.3 billion, to date. The largest number of these reductions, totaling 5,815, were for condominiums. For comparison, the Assessor granted 2,797 decline-in-value reductions resulting in a total assessed value reduction of $377.88 million for fiscal year 2020-21.

In addition, qualifying taxpayers seek adjustment of their property assessed values on a variety of factors. Requests for changes can be motivated by real estate market conditions or other factors.

A qualifying taxpayer can seek assessed value adjustments from the Assessment Appeals Board ("AAB") or from the Assessor or both. For regular, annual secured property tax assessments, the period for property owners to file an appeal is between July 2nd and September 15th. If the 15th falls on a Saturday or Sunday, applications filed or postmarked the next business day are considered timely. The Assessment Appeals Board generally is required to determine the outcome of appeals within two (2) years of each appeal's filing date. The Assessment Appeals Board can increase, decrease, or not change an assessment. If the appeal results in a change in value, the new assessed value will be used to determine the property taxes for the year that was appealed. The Assessor has the authority to review the property's value thereafter and may make valuation adjustments, as provided by law.

In addition, in limited circumstances the Assessor and a property owner can agree to a corrected assessed value for property. If an appeal is pending, the Assessment Appeals Board can reject such an agreement and instead require a hearing.

As of the date of this Official Statement, the Assessment Appeals Board was still processing the appeals for Fiscal Year 2021-22 that have been filed to date, but does not yet know the total number of appeals that have been filed or the total dollar value represented by such appeals. Based on partial available information, the Assessment Appeals Board does expect the total number of appeals for Fiscal Year 2021-22 to exceed the number of appeals in Fiscal Year 2020-21. Because the information from the Assessment Appeals Board is incomplete, the City has not been able to quantify the total number of appeals, the dollar amount represented by such appeals and consequently the potential impact on City assessed values.

As of June 30, 2021, the total number of open appeals before the AAB was 2,486. During the fiscal year 2020-21 there were 2,399 new applications filed. The difference between the current assessed value and the taxpayer's opinion of values for all the open applications is $29.1 billion. Assuming the City did not contest any taxpayer appeals and the Board upheld all the taxpayer's requests, a negative potential total

property tax impact of about $349.1 million would result. The General Fund's portion of that potential $349.1 million would be approximately $161.9 million. This potential negative impact would only be realized to the extent appeals were heard by the Assessment Appeals Board and assessed values are actually reduced to the value asserted by property owners. Actual reductions have historically been much lower than values asserted by property owners in appeals, given the large number of appeals that are eventually withdrawn. Of the 1,067 appeals closed during fiscal year 2020-21, 847, or 79.4% of appeals, were withdrawn.

Nearly all of the appeal applications filed during fiscal year 2020-21 challenge the assessed value of property for fiscal year 2020-21. However, because the assessed value of secured property for fiscal year 2020-21 is determined by the Assessor as of the January 1, 2020 lien date, which predates the COVID-19 pandemic and its related economic effects, the City does not expect a material reduction in assessed values resulting from fiscal year 2020-21 appeal applications. However, the effects of the pandemic and ensuing recession will likely increase the number of future appeals. Additionally, under Proposition 8, adopted by California voters in 1978, the Assessor could on it is own initiative reduce the assessed value of properties with market values that fall below their values assessed in accordance with Proposition 13. Following a Proposition 8 reduction, the assessed value continues to match the market value until the market value again exceeds the maximum assessed value calculated under Proposition 13.

The volume of appeals is not necessarily an indication of how many appeals will be granted, nor of the magnitude of the reduction in assessed valuation that the Assessor may ultimately grant. City revenue estimates take into account projected losses from pending and future assessment appeals that are based on historical results as to appeals.

**Tax Levy and Collection**

As the local tax-levying agency under State law, the City levies property taxes on all taxable property within the City's boundaries for the benefit of all overlapping local agencies, including SFUSD, SFCCD, the BAAQMD and BART. The total tax levy for all taxing entities to begin fiscal year 2019-20 was $3.3 billion, not including supplemental, escape and special assessments that may be assessed during the year. Of total property tax revenues (including supplemental and escape property taxes), the City budgeted to receive $2.0 billion in the General Fund and $235.1 million in special revenue funds designated for children's programs, libraries and open space. SFUSD and SFCCD were estimated to receive approximately $199.8 million and $37.4 million, respectively, and the local ERAF was estimated to receive $401.1 million (before adjusting for the vehicle license fees ("VLF") backfill shift). The Successor Agency was estimated to receive approximately $171.3 million. The remaining portion will be allocated to various other governmental bodies, various special funds, and general obligation bond debt service funds, and other taxing entities. Taxes levied to pay debt service for general obligation bonds issued by the City, SFUSD, SFCCD and BART may only be applied for that purpose. The City's General Fund is allocated about 47.1% of total property tax revenue before adjusting for the VLF backfill shift and excess ERAF.

General Fund property tax revenues in fiscal year 2019-20 were $2.1 billion, representing a decrease of $173.0 million (7.7%) over fiscal year 2018-19 actual revenue. The decrease is due to recognition of three years' excess ERAF revenue (fiscal years 2016-17, 2017-18, and 2018-19) in fiscal year 2018-19 compared to just one year in fiscal year 2019-20. The COVID-19 pandemic may negatively impact the availability of Excess ERAF contributions, as described in "Impact of the State of California Budget on Local Finances." Tables A-2 and A-4 set forth a history of budgeted and actual property tax revenues.

Generally, property taxes levied by the City on real property become a lien on that property by operation of law. A tax levied on personal property does not automatically become a lien against real property without an affirmative act of the City taxing authority. Real property tax liens have priority over all other liens against the same property regardless of the time of their creation by virtue of express provision of law.

Property subject to ad valorem taxes is entered as secured or unsecured on the assessment roll maintained by the Assessor-Recorder. The secured roll is that part of the assessment roll containing State- assessed property and property (real or personal) on which liens are sufficient, in the opinion of the Assessor-Recorder, to secure payment of the taxes owed. Other property is placed on the "unsecured roll."

The method of collecting delinquent taxes is substantially different for the two classifications of property. The City has four ways of collecting unsecured personal property taxes: 1) pursuing civil action against the taxpayer; 2) filing a certificate in the Office of the Clerk of the Court specifying certain facts, including the date of mailing a copy thereof to the affected taxpayer, in order to obtain a judgment against the taxpayer; 3) filing a certificate of delinquency for recording in the Assessor-Recorder's Office in order to obtain a lien on certain property of the taxpayer; and 4) seizing and selling personal property, improvements or possessory interests belonging or assessed to the taxpayer. The exclusive means of enforcing the payment of delinquent taxes with respect to property on the secured roll is the sale of the property securing the taxes. Proceeds of the sale are used to pay the costs of sale and the amount of delinquent taxes.

A 10% penalty is added to delinquent taxes that have been levied on property on the secured roll. In addition, property on the secured roll with respect to which taxes are delinquent is declared "tax defaulted" and subject to eventual sale by the Treasurer and Tax Collector of the City. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a redemption penalty of 1.5% per month, which begins to accrue on such taxes beginning July 1 following the date on which the property becomes tax-defaulted.

In connection with the COVID-19 pandemic, property owners unable to pay their April 10, 2020 property taxes by May 15, 2020 due to COVID-19 were able to request a penalty waiver. Pursuant to the Governor's Executive Order N-61-20**,** if a property owner was approved for a waiver and was unable to pay property taxes for a primary residence or small business due to COVID-19, an extension until May 6, 2021 was granted without any late payment penalties. As of April 2021, 1,344 secured parcels and 318 unsecured parcels, representing a total property tax amount of $17.7 million, remain unpaid. If these parcels remain unpaid after May 6, 2021, the parcel owners will be delinquent and may seek waivers under the normal course available to them under the California Revenue and Taxation Code. Even under the Governor's Executive Order N-61-20 waiver program, San Francisco's delinquent rate on secured parcels for fiscal year 2019-20 was less than 1.0%.

In October 1993, the Board of Supervisors passed a resolution that adopted the Alternative Method of Tax Apportionment (the "Teeter Plan"). This resolution changed the method by which the City apportions property taxes among itself and other taxing agencies. Additionally, the Teeter Plan was extended to include the allocation and distribution of special taxes levied for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) in June 2017 (effective fiscal year 2017-18) and for the Bay Restoration Authority Parcel Tax, SFUSD School Facilities Special Tax, SFUSD School Parcel Tax, and City College Parcel Tax in October 2017 (effective fiscal year 2018-19). The Teeter Plan method authorizes the City Controller to allocate to the City's taxing agencies 100% of the secured property taxes billed but not yet collected. In return, as the delinquent property taxes and associated penalties and interest are collected, the City's General Fund retains such amounts. Prior to adoption of the

Teeter Plan, the City could only allocate secured property taxes actually collected (property taxes billed minus delinquent taxes). Delinquent taxes, penalties and interest were allocated to the City and other taxing agencies only when they were collected. The City has funded payment of accrued and current delinquencies through authorized internal borrowing. The City also maintains a Tax Loss Reserve for the Teeter Plan as shown on Table A-8. The Tax Loss Reserve sets aside 1% of the total of all taxes and assessments levied for which the Teeter Plan is the applicable distribution method. The purpose of the Tax Loss Reserve is to cover losses that may occur. The amount has grown in recent years as the assessed values on the secured roll has grown.

*TABLE A-8*

**CITY AND COUNTY OF SAN FRANCISCO**
**Teeter Plan**
**Tax Loss Reserve Fund Balance**
**Fiscal Years 2013-14 through 2019-20**
**(000s)**

| Year Ended | Amount Funded |
|---|---|
| 2013-14 | $19,654 |
| 2014-15 | 20,569 |
| 2015-16 | 22,882 |
| 2016-17 | 24,882 |
| 2017-18 | 25,567 |
| 2018-19 | 29,126 |
| 2019-20 | 31,968 |

Source: Office of the Controller, City and County of San Francisco.

Assessed valuations of the aggregate ten largest assessment parcels in the City for the fiscal year beginning July 1, 2020 are shown in Table A-9. The City cannot determine from its assessment records whether individual persons, corporations or other organizations are liable for tax payments with respect to multiple properties held in various names that in aggregate may be larger than is suggested by the Office of the Assessor-Recorder.

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*TABLE A-9*

**CITY AND COUNTY OF SAN FRANCISCO**
**Top 10 Parcels Total Assessed Value**
**July 1, 2021**

| Assessee [1] | Location | Parcel Number | Type | Total Assessed Value 2 | % Basis of Levy [3] |
|---|---|---|---|---|---|
| SUTTER BAY HOSPITALS[4] | 1101 VAN NESS AVE | 0695 007 | HOSPITAL | $2,674,258,101 | 0.856% |
| TRANSBAY TOWER LLC | 415 MISSION ST | 3720 009 | OFFICE | $1,803,015,744 | 0.577% |
| GSW ARENA LLC | 1 WARRIORS WAY | 8722 026 | ENTERTAINMENT COMPLEX | $1,470,357,868 | 0.470% |
| HWA 555 OWNERS LLC | 555 CALIFORNIA ST | 0259 026 | OFFICE | $1,070,539,722 | 0.342% |
| ELM PROPERTY VENTURE LLC | 101 CALIFORNIA ST | 0263 011 | OFFICE | $1,035,700,281 | 0.331% |
| PARK TOWER OWNER LLC | 250 HOWARD ST | 3718 040 | OFFICE | $1,012,003,901 | 0.324% |
| PPF PARAMOUNT ONE MARKET PLAZA OWNER LP | 1 MARKET ST | 3713 007 | OFFICE | $877,380,832 | 0.281% |
| KRE EXCHANGE OWNER LLC | 1800 OWENS ST | 8727 008 | OFFICE | $801,576,851 | 0.256% |
| SHR ST FRANCIS LLC | 301 - 345 POWELL ST | 0307 001 | HOTEL | $772,514,515 | 0.247% |
| SUTTER BAY HOSPITALS DBA CA PACIFIC MED[4] | 3555 CESAR CHAVEZ ST/555 SAN JOSE | 6575 005 | HOSPITAL | $744,697,554 | 0.238% |
| | | | | **$12,262,045,369** | **3.923%** |

[1] Certain parcels fall within RDA project areas.

[2] Represents the Total Assessed Valuation (TAV) as of the Basis of Levy, which excludes assessments processed during the fiscal year. TAV includes land & improvments, personal property, and fixtures. Values reflect information as of January 1, 2021.

[3] The Basis of Levy is total assessed value less exemptions for which the state does not reimburse counties (e.g. those that apply to nonprofit organizations).

[4] Nonprofit organization that is exempt from property taxes.

Source: Office of the Assessor-Recorder, City and County of San Francisco

### Taxation of State-Assessed Utility Property

A portion of the City's total net assessed valuation consists of utility property subject to assessment by the State Board of Equalization. State-assessed property, or "unitary property," is property of a utility system with components located in many taxing jurisdictions assessed as part of a "going concern" rather than as individual parcels of real or personal property. Unitary and certain other State-assessed property values are allocated to the counties by the State Board of Equalization, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the City itself) according to statutory formulae generally based on the distribution of taxes in the prior year. The fiscal year 2021-22 valuation of property assessed by the State Board of Equalization is $3.9 billion.

## OTHER CITY TAX REVENUES

In addition to the property tax, the City has several other major tax revenue sources, as described below. For a discussion of State constitutional and statutory limitations on taxes that may be imposed by the City, including a discussion of Proposition 62 and Proposition 218, see "CONSTITUTIONAL AND STATUTORY LIMITATIONS ON TAXES AND EXPENDITURES" herein.

The following section contains a brief description of other major City-imposed taxes as well as taxes that are collected by the State and shared with the City. The City's General Fund is also supported by other sources of revenue, including charges for services, fines and penalties, and transfers-in, which are not discussed below.

See Table A-10 below for a summary of revenue source as a percentage of total General Fund revenue based on audited financials for fiscal year 2019-20 and the Original Budget for fiscal year 2020-21.

*TABLE A-10*

| Revenues | FY 2019-20 | | FY 2020-21 Original Budget | |
|---|---|---|---|---|
| Property Taxes | $2,075,002 | *37.9%* | $2,019,600 | *38.6%* |
| Business Taxes | 822,154 | *15.0%* | 826,400 | *15.8%* |
| Other Local Taxes | 996,180 | *18.2%* | 657,990 | *12.6%* |
| Licenses, Permits and Franchises | 25,318 | *0.5%* | 23,175 | *0.4%* |
| Fines, Forfeitures and Penalties | 3,705 | *0.1%* | 2,338 | *0.0%* |
| Interest and Investment Income | 65,459 | *1.2%* | 23,490 | *0.4%* |
| Rents and Concessions | 9,816 | *0.2%* | 10,948 | *0.2%* |
| Intergovernmental | 1,183,341 | *21.6%* | 1,380,693 | *26.4%* |
| Charges for Services | 229,759 | *4.2%* | 257,295 | *4.9%* |
| Other | 62,218 | *1.1%* | 25,254 | *0.5%* |
| **Total Revenues** | $5,472,952 | *100.0%* | $5,227,184 | *100.0%* |

Note: Other local taxes includes sales, hotel, utility users, parking, sugar sweetened beverage, stadium admissions, access line, and cannabis taxes.

**Business Taxes**

Through tax year 2014, businesses in the City were subject to payroll expense and business registration taxes. Proposition E approved by the voters in the November 2012 election changed business registration tax rates and introduced a gross receipts tax which phased in over a five-year period beginning January 1, 2014, replacing the existing 1.5% tax on business payrolls over the same period. Overall, the ordinance increased the number and types of businesses in the City that pay business tax and registration fees from approximately 7,500 to 15,000. Current payroll tax exclusions will be converted into a gross receipts tax exclusion of the same size, terms and expiration dates.

The payroll expense tax is authorized by Article 12-A of the San Francisco Business and Tax Regulation Code. The 1.5% payroll tax rate in 2013 was adjusted to 1.35% in tax year 2014, 1.16% in tax year 2015, 0.829% in tax year 2016, 0.71% in tax year 2017, and 0.38% in tax year 2018. The gross receipts tax ordinance, like the current payroll expense tax, is imposed for the privilege of "engaging in business" in San Francisco. The gross receipts tax applies to businesses with $1 million or more in gross receipts, adjusted by the Consumer Price Index going forward. Proposition E also imposes a 1.4% tax on administrative office business activities measured by a company's total payroll expense within San Francisco in lieu of the Gross Receipts Tax and increases annual business registration fees to as much as $35,000 for businesses with over $200 million in gross receipts. Prior to Proposition E, business registration taxes varied from $25 to $500 per year per subject business based on the prior year computed payroll tax liability. Proposition E increased the business registration tax rates to between $75 and $35,000 annually.

Business tax revenue in fiscal year 2019-20 was $833.9 million (all funds), representing a decrease of $85.6 million (9.3%) from fiscal year 2018-19. The fiscal year 2020-21 Nine Month Projection is $632.4 million, a decrease of $201.6 million (24.2%) from the fiscal year 2019-20 figures. The fiscal year 2021-22 Original Budget is $959.6 million, an increase of $327.3 million (51.8%) from the fiscal year 2020-21 Nine Month Projection. The fiscal year 2022-23 Original Budget is $1.07 billion, an increase of $108.2 million (11.3%) from the fiscal year 2021-22 figure. The vast majority of the City's business tax is deposited in the General Fund; approximately $2.5 million is allocated to the Neighborhood Beautification Fund annually. These figures do not include gross receipts revenue related to homeless gross receipts or commercial rents tax, authorized by voters through June 2018 Proposition C and November 2018 Proposition C.

Revenues from business tax and registration fees have generally followed economic conditions in the City, primarily employment and wage growth. The response to the COVID-19 pandemic has significantly affected them, and the City's economic condition is still in distress relative to pre-pandemic levels. The City's unemployment rate peaked at 12.6% in April 2020 and declined steadily since then, reaching 5.4% in March 2021, higher than at any point pre-pandemic since 2013. In January and February 2020, before shelter-in-place was first instituted, weekly initial claims for unemployment were less than 1,000. As of May 2021, weekly initial claims remained just over 4,000, a number which has remained level since October 2021. With high vaccination rates, the City's economic condition is projected to continue improving, though the impact of new COVID-19 variants such as the Delta variant may pose ongoing challenges to economic recovery.

The Original Budget assumes economic growth of 6% in tax year 2021 and growth of 4% in tax year 2022, reflecting a quick recovery of employment lost to public health mandates. The projection also takes into account the Mayor's policies to provide relief to businesses during the pandemic through: (1) the deferral of business registration taxes owed in fiscal year 2019-20 to fiscal year 2020-21 and (2) the deferral of business tax payments for small businesses throughout the tax period to February 2021. The fiscal years 2020-21 and 2021-22 projections also take into account an ordinance approved by the Board in January 2021 which extends the deadline to (1) pay license fees originally due on March 31, 2020 and March 31, 2021 to November 1, 2021, (2) pay business registration fees originally due on June 1, 2020 to April 30, 2021, and (3) pay and file returns for certain business taxes for the 2020 tax year to April 30, 2021. In addition, Proposition F adopted by voters in November 2020 is assumed to generate $4.0 million of business tax in fiscal year 2020-21 and $23.0 million in fiscal year 2021-22 as intended.

The sudden and sharp increase in telecommuting during the pandemic has created revenue risk. Many workers in major tax-paying sectors such as Professional Services, Financial Services, and Information live outside of San Francisco. Extended periods of working at-home during the pandemic may affect how much of a business's payroll expense and gross receipts is apportionable to San Francisco. Some of the City's largest private employers have instructed their employees to telecommute whenever possible, as evidenced by BART ridership declining almost 90% from its pre-COVID-19 baseline ridership. Businesses owe payroll tax only on their employees physically working within the City. For certain categories of businesses, the gross receipts tax is also dependent on their San Francisco payroll. Thus, the sharp rise in telecommuting will result in reduced business taxes. Although some San Francisco residents who previously commuted out of the City are now telecommuting from within the City, many of these residents work for employers who do not have a nexus in the City, and thus are not subject to business taxes.

In the medium- to long-term, permanent relocations out of the San Francisco area could have a larger impact on the City's tax base. The Nine Month projections and Original Budget assume that in the third quarter of calendar year 2021, 75% of workers in Professional, Financial, and Administrative Services and the Information sectors who live outside of San Francisco now work from home instead of commuting into the City. In the fourth quarter of 2021 and the first two quarters of 2022, the Original Budget assumes 50% of these workers will work from home. Thereafter, it assumes 25% will work from home. This long-term reduction of 25% of commuters into the City could result in an estimated 5.5% reduction in Gross Receipts taxes relative to pre-pandemic levels.

See "CITY BUDGET - Other Budget Updates: Fiscal Year 2020-21 Nine Month Budget Status Report" for a summary of the most recent projections.

*TABLE A-11*

**CITY AND COUNTY OF SAN FRANCISCO**
**Business Tax Revenues - All Funds**
**Fiscal Years 2017-18 through 2022-23**
**(000s)**

| Fiscal Year[1] | Revenue | Change | Change % |
|---|---|---|---|
| 2017-18 | 899,142 | 196,811 | 28.0% |
| 2018-19 | 919,552 | 20,410 | 2.3% |
| 2019-20 | 833,931 | (85,621) | -9.3% |
| 2020-21 *projected*[2] | 632,350 | (201,581) | -24.2% |
| 2021-22 *budgeted*[3] | 959,640 | 327,290 | 51.8% |
| 2022-23 *budgeted*[3] | 1,067,850 | 108,210 | 11.3% |

[1] Figures for fiscal years 2017-18 through 2019-20 are actuals. Includes portion of Payroll Tax allocated to special revenue funds for the Community Challenge Grant program, Business Registration Tax.

[2] Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

[3] Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget, July 29, 2021.

Source: Office of the Controller, City and County of San Francisco.

**Transient Occupancy Tax (Hotel Tax)**

Pursuant to the San Francisco Business and Tax Regulation Code, a 14.0% transient occupancy tax is imposed on occupants of hotel rooms and is remitted by hotel operators to the City monthly. A quarterly tax-filing requirement is also imposed. Hotel tax revenue in fiscal year 2019-20 ended at $281.6 (all funds) million, a decrease of $132.7 million (32.0%) from fiscal year 2018-19. The Nine Month Projection for fiscal year 2020-21 reflects expected hotel tax revenue of $28.2 million, a decrease of $253.5 million (90.0%) from fiscal year 2019-20. The fiscal year 2021-22 Original Budget is $92.9 million, an increase of $64.8 million (230.0%) from fiscal year 2020-21 projections. The fiscal year 2022-23 Original Budget is $268.6 million, an increase of $175.6 million (189.0%) from fiscal year 2021-22. Table A-12 includes hotel tax in all funds. Slightly less than 90% of the City's hotel tax is allocated to the General Fund, with 10.7% allocated to arts and cultural organizations and approximately $5 million for debt service on hotel tax revenue bonds.

The significant decline in fiscal year 2020-21 revenue is due to the far-reaching impact of the pandemic on San Francisco's travel and hospitality industries for the majority of the fiscal year. San Francisco's hotels are, on average, in the higher-priced tiers and rely on business travelers and tourists who arrive by air. Because of the COVID-19 pandemic, air travel is perceived as highly risky, and higher tier hotels are expected to be the slowest class of hotels to recover in this economic climate. Large gatherings and conferences, which normally drive up rates through compression pricing, have only recently been allowed. As of May 2021, the majority of San Francisco hotels have re-opened, and room supply has recovered to 83.5% of pre-pandemic levels. Occupancy rates for those that were open averaged 38.0%. Adjusted for room supply, the occupancy rate was 31.7%, an improvement of 221.6% from the same period last year, but still a dramatic reduction of

62.4% from May 2019 occupancy. The projected recovery of hotel tax revenue in fiscal year 2021-22 and 2022-23 is largely based on the assumption that widespread vaccination uptake will lead to a resumption in large in-person gatherings.

Revenue per Available Room (RevPAR), a measurement of hotel tax revenue growth, is a function of changes in occupancy and average daily room rates (ADR), and generally grew between fiscal years 2011-12 and 2018-19. During the first seven months of fiscal year 2019-20, RevPAR grew by 2.8% on average over the same period prior year. As airlines began suspending flights to and from China in February 2020, RevPAR decreased 10.9%. The decline sharpened with the shelter in place order in March 2020, and RevPAR in the City reached its record low of $15.89 in April 2020, a 92.7% decrease from the same month prior year. Since then, as the City has slowly eased restrictions, RevPAR has increased slightly, to $54.75 in May 2021. Adjusted for room supply, RevPAR was $45.71, an improvement of 338.7% from the same period las year, but still a 79.6% decrease from the same month in 2019. RevPAR is not expected to recover to pre-pandemic levels until fiscal year 2025-26.

See "CITY BUDGET Other Budget Updates: Fiscal Year 2020-21 Nine-Month Budget Status Report" for a summary of the most recent projections.

*TABLE A-12*

**CITY AND COUNTY OF SAN FRANCISCO**
**Transient Occupancy Tax Revenues - All Funds[1]**
**Fiscal Years 2017-18 through 2022-23**
**(000s)**

| Fiscal Year[2] | Tax Rate | Revenue | Change | |
|---|---|---|---|---|
| 2017-18 | 14.0% | 385,550 | 10,259 | 2.7% |
| 2018-19 | 14.0% | 414,343 | 28,792 | 7.5% |
| 2019-20 | 14.0% | 281,615 | (132,728) | -32.0% |
| 2020-21 *projected*[3] | 14.0% | 28,162 | (253,453) | -90.0% |
| 2021-22 *budgeted*[4] | 14.0% | 92,930 | 64,768 | 230.0% |
| 2022-23 *budgeted*[4] | 14.0% | 268,577 | 175,647 | 189.0% |

[1] Amounts include the portion of hotel tax revenue used to pay debt service on hotel tax revenue bonds, as well as the portion of hotel tax revenue dedicated to arts and cultural programming reflecting the passage of Proposition E in November 2018, which took effect January 1, 2019.

[2] Figures for fiscal year 2017-18 through 2019-20 are actuals.

[3] Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

[4] Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget from July 29, 2021.
Source: Office of the Controller, City and County of San Francisco.

**Real Property Transfer Tax**

Real property transfer tax (RPTT) is imposed on all real estate transfers recorded in the City. Transfer tax revenue is more susceptible to economic and real estate cycles than most other City revenue sources. After the passage of Proposition W on November 8, 2016, transfer tax rates were $5.00 per $1,000 of the sale price of the property being transferred for properties valued at $250,000 or less; $6.80 per $1,000 for properties valued more than $250,000 and less than $999,999; $7.50 per $1,000 for properties valued at $1.0 million to $5.0 million; $22.50 per $1,000 for properties valued more than $5.0 million and less than $10.0 million; $27.50 per $1,000 for properties valued at more than $10.0 million and less than $25.0 million; and $30.00 per $1,000 for properties valued at more than $25.0 million. After the passage of Proposition I in November 2020, transfer tax rates were doubled for the two highest tiers, to $55.00 per $1,000 for properties valued at more than $10.0 million and less than $25.0 million and $60.00 per $1,000 for properties valued at more than $25.0 million.

RPTT revenue for fiscal year 2019-20 ended at $334.5 million, a $29.5 million (8.1%) decrease from fiscal year 2018-19 revenue. The fiscal year 2020-21 Nine Month projection is $326.3 million, a decrease of $8.2 million (2.5%) from fiscal year 2019-20. The fiscal year 2021-22 Original Budget is $350.1 million, an increase of $23.8 million (7.3%) from fiscal year 2020-21 projection. The fiscal year 2022-23 Original Budget is $373.9 million, an increase of $23.8 million (6.8%) from fiscal year 2021-22. The entirety of RPTT revenue is recorded in the General Fund.

The Nine Month projection (for fiscal year 2020-21) and Original Budget (for fiscal years 2021-22 and 2022-23) assume that market uncertainty will result in fewer transfers of commercial properties in fiscal year 2020-21, but the City will return to its rate-adjusted, long-term average by fiscal year 2023-24.

As the City's most volatile revenue source, RPTT collections can see large year-over-year changes that have exceeded 70% in some instances. The main factors creating volatility are sales of high-value properties, availability of financing, and the relative attractiveness of San Francisco real estate compared to global investment options, all of which track closely with economic cycles, as well as voter-approved rate changes, which occurred in 2008, 2010, 2016, and 2020. The volatility of RPTT is attributable mainly to the sales of high-value (largely commercial) properties over $25 million. In fiscal year 2008-09, transactions above $25 million would have generated only $10.6 million under the current rates compared to the peak in fiscal year 2016-17, when these transactions generated $295.8 million. Since the end of the recession in fiscal year 2009-10, these large transactions made up on average 58.0% of total revenue but only 0.6% of the transaction count. This means that revenue is determined by a small handful of transactions. In the past two recessions, the taxes collected on large transactions fell dramatically.

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*TABLE A-13*

**CITY AND COUNTY OF SAN FRANCISCO**
**Real Property Transfer Tax Receipts - All Funds**
**Fiscal Years 2017-18 through 2022-23**
**(000s)**

| Fiscal Year[1] | Revenue | Change | |
|---|---|---|---|
| 2017-18 | 280,416 | (130,145) | -31.7% |
| 2018-19 | 364,044 | 83,628 | 29.8% |
| 2019-20 | 334,535 | (29,509) | -8.1% |
| 2020-21 *projected*[2] | 326,300 | (8,235) | -2.5% |
| 2021-22 *budgeted*[3] | 350,110 | 23,810 | 7.3% |
| 2022-23 *budgeted*[3] | 373,910 | 23,800 | 6.8% |

[1] Figures for fiscal year 2017-18 through 2019-20 are actuals

[2] Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

[3] Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget from July 29, 2021.

Source: Office of the Controller, City and County of San Francisco.

**Sales and Use Tax**

The sales tax rate on retail transactions in the City is 8.6250%, of which 1.00% represents the City's local share ("Bradley-Burns" portion). The State collects the City's local sales tax on retail transactions along with State and special district sales taxes, and then remits the local sales tax collections to the City.

The components of San Francisco's 8.6250% sales tax rate are shown in Table A-14. In addition to the 1% portion of local sales tax, the State subvenes portions of sales tax back to counties through 2011 realignment (1.0625%), 1991 realignment (0.5%), and public safety sales tax (0.5%). The subventions are discussed in more detail after the local tax section.

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*TABLE A-14*

**San Francisco's Sales & Use Tax Rate**

| | |
|---|---|
| **State Sales Tax** | **6.00%** |
| State General Fund | 3.9375% |
| Local Realignment Fund 2011* | 1.0625% |
| Local Revenue Fund* | 0.50% |
| (to counties for health & welfare) | |
| Public Safety Fund (to counties & cities)* | 0.50% |
| **Local Sales Tax** | **1.25%** |
| Local Sales Tax (to General Fund)* | 1.00% |
| Local Transportation Tax (TDA) | 0.25% |
| **Special District Use Tax** | **1.375%** |
| 2020 Peninsula Corridor Joint Powers Board Transactions and Use Tax (JPBF) | 0.125% |
| SF County Transportation Authority | 0.50% |
| Bay Area Rapid Transit (BART) | 0.50% |
| SF Public Financing Authority (Schools) | 0.25% |
| **TOTAL Sales Tax Rate** | **8.625%** |

* Represents portions of the sales tax allocated to the City.

Source: Office of the Controller, City and County of San Francisco.

Local sales tax (the 1% portion) revenue in fiscal year 2019-20 was $180.2 million, $33.4 million (15.7%) less than fiscal year 2018-19. The fiscal year 2020-21 Nine Month Report projects $132.2 million, a decrease of $48.0 million (26.6%) from fiscal year 2019-20. The fiscal year 2021-22 Original Budget is $145.7 million, an increase of $13.6 million (10.2%) from fiscal year 2020-21. The fiscal year 2022-23 Original Budget is $174.9 million, an increase of $29.1 million (20.0%) from fiscal year 2021-22. The entirety of sales tax revenue is recorded in the General Fund.

Historically, sales tax revenues have been highly correlated to growth in tourism, business activity and population. This revenue is significantly affected by changes in the economy and spending patterns. In recent years, online retailers have contributed significantly to sales tax receipts, offsetting sustained declines in point of sale purchases.

The decline in sales tax forecast in fiscal year 2020-21 is driven by losses at restaurants, hotels, and non-essential retail because of the loss of daytime population from the COVID-19 pandemic as well as business closures and capacity reductions. Besides lower daytime population from the lack of travelers and in-commuters who shop and dine out, San Francisco also experienced significant out-migration of its residents during the COVID-19 pandemic. The estimated impact of the pandemic on San Francisco's population varies from a decline of roughly 2 to 7 percent between 2019 and 2020. As a result, sales tax collected from online retailers did not offset losses at brick-and-mortar stores in San Francisco, unlike nearly every other California county. As businesses are expected to reopen to full capacity over fiscal years 2021-22 and 2022-23, the budget assumes rapid growth in sales tax revenue from restaurant, hospitality and non-essential retail activity, but it will not reach pre-pandemic levels until fiscal year 2025-26.

*TABLE A-15*

**CITY AND COUNTY OF SAN FRANCISCO**
**Sales and Use Tax Revenues**
**Fiscal Years 2017-18 through 2022-23**
**General Fund**
**(000s)**

| Fiscal Year[1] | Tax Rate | City Share | Revenue | Change | |
|---|---|---|---|---|---|
| 2017-18 | 8.50% | 1.00% | 192,946 | 3,473 | 1.8% |
| 2018-19 | 8.50% | 1.00% | 213,625 | 20,679 | 10.7% |
| 2019-20 | 8.50% | 1.00% | 180,184 | (33,441) | -15.7% |
| 2020-21 *projected*[2] | 8.50% | 1.00% | 132,200 | (47,984) | -26.6% |
| 2021-22 *budgeted*[3] | 8.625% | 1.00% | 145,740 | 13,540 | 10.2% |
| 2022-23 *budgeted*[3] | 8.625% | 1.00% | 174,880 | 29,140 | 20.0% |

1 Figures for fiscal year 2017-18 through fiscal year 2019-20 are actuals.

2 Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

3 Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget, July 29, 2021.

**Other Local Taxes**

The City imposes a number of other general purpose taxes:

- Utility Users Tax (UUT) - A 7.5% tax on non-residential users of gas, electricity, water, steam and telephone services.

- Access Line Tax ("ALT") – A charge of $3.73 on every telecommunications line, $28.02 on every trunk line, and $504.40 on every high capacity line in the City. The ALT replaced the Emergency Response Fee ("ERF") in 2009. The tax is collected from telephone communications service subscribers by the telephone service supplier.

- Parking Tax - A 25% tax for off-street parking spaces. The tax is paid by occupants and remitted monthly to the City by parking facility operators. In accordance with Charter Section 16.110, 80% of parking tax revenues are transferred from the General Fund to the MTA's Enterprise Funds to support public transit.

- Sugar Sweetened Beverage Tax – A one cent per ounce tax on the distribution of sugary beverages. This measure was adopted by voters on November 9, 2016 (Proposition V) and took effect on January 1, 2018.

- Stadium Admission Tax – A tax between $0.25 and $1.50 per seat or space in a stadium for any event, with some specific exclusions.

- Cannabis Tax – A gross receipts tax of 1% to 5% on marijuana business and permits the City to tax businesses that do not have a physical presence in the City. This measure was adopted by voters in November 2018 (Prop D). The tax was originally slated to go into effect on January 1, 2021, but in December 2021, the Board delayed the imposition of the tax by one year. The cannabis tax will now take effect beginning January 1, 2022.

- Franchise Tax – A tax for the use of City streets and rights-of-way on cable TV, electric, natural gas, and steam franchises.

- Tax on Executive Pay – In November 2020, voters adopted Proposition L, a new tax on businesses in the City, where compensation of the businesses' highest-paid managerial employee compared to the median compensation paid to the businesses' employees based in the City exceeds a ratio of 100:1. The measure takes effect on January 1, 2022 for tax year 2022, so revenues will not be received until fiscal year 2022-23. Revenue from this tax is expected to be highly volatile due to the narrow base of expected payers, annual fluctuations in the value and form of executive compensation, and tax-avoidance risk associated with tax increases. Estimates based on prior years' activity may not be predictive of future revenues.

Table A-16 reflects the City's actual tax receipts for fiscal years 2017-18 through 2019-20, projected amounts for fiscal year 2020-21 and Original Budget for fiscal years 2021-22 and 2022-23.

As with the larger tax revenues described above, the City anticipates these sources will be impacted by the course of the COVID-19 pandemic and pace of economic recovery. Consistent with the other tax revenues, the Nine Month Report for fiscal year 2020-21 assumes that the local economy continues to be depressed for most of the fiscal year but begins its recovery in the final quarter of the fiscal year and into fiscal years 2021-22 and 2022-23. See "CITY BUDGET - Five-Year Financial Plan" AND "RECENT DEVELOPMENTS" for a summary of the most recent projections.

*TABLE A-16*

**CITY AND COUNTY OF SAN FRANCISCO**
**Other Local Taxes**
**Fiscal Years 2017-18 through 2022-23**
**General Fund**
**(000s)**

| Tax | 2017-18 Actuals | 2018-19 Actuals | 2019-20 Actuals | 2020-21 Projected[1] | 2021-22 Budget[2] | 2022-23 Budget[2] |
|---|---|---|---|---|---|---|
| Utility Users Tax | $94,460 | $93,918 | $94,231 | $74,200 | $77,650 | $83,700 |
| Access Line Tax | 51,255 | 48,058 | 49,570 | 48,300 | 49,640 | 51,260 |
| Parking Tax | 83,484 | 86,020 | 69,461 | 43,000 | 55,900 | 68,800 |
| Sugar Sweetened Beverage Tax | 7,912 | 16,098 | 13,182 | 10,464 | 12,230 | 14,000 |
| Stadium Admissions Tax | 1,120 | 1,215 | 2,730 | 240 | 3,600 | 5,400 |
| Cannabis Tax | N/A | N/A | N/A | N/A | 4,400 | 8,800 |
| Franchise Tax | 16,869 | 15,640 | 16,028 | 14,670 | 14,250 | 13,950 |
| Tax on Executive Pay | N/A | N/A | N/A | N/A | N/A | 60,000 |

[1] Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

[2] Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget, July 29, 2021.

Source: Office of the Controller, City and County of San Francisco.

**INTERGOVERNMENTAL REVENUES**

**State Subventions Based on Taxes**

San Francisco receives allocations of State sales tax and Vehicle License Fee (VLF) revenue for 1991 Health and Welfare Realignment, 2011 Public Safety Realignment, and Prop 172 Public Safety Sales Tax. These subventions fund programs that are substantially supported by the General Fund. See "Sales and Use Tax" above.

- Health and Welfare Realignment, enacted in 1991, restructured the state-county partnership by giving counties increased responsibilities and dedicated funding to administer certain public health, mental health and social service programs.

- Public Safety Realignment (AB 109), enacted in early 2011, transfers responsibility for supervising certain kinds of felony offenders and state prison parolees from state prisons and parole agents to county jails and probation officers.

- State Proposition 172, passed by California voters in November 1993, provided for the continuation of a one-half percent sales tax for public safety expenditures. This revenue is a function of the City's proportionate share of Statewide sales activity. These revenues are allocated to counties by the State separately from the local one-percent sales tax discussed above. Disbursements are made to counties based on the county ratio, which is the county's percent share of total statewide sales taxes in the most recent calendar year.

Table A-17 reflects the City's actual receipts for fiscal years 2017-18 through 2019-20, Nine Month Report projections for fiscal year 2020-21 and amounts in the Original Budget for fiscal years 2021-22 through 2022-23. State-wide sales tax has performed better than local sales tax, and is expected to recover faster than the City; therefore, formula-driven subventions are expected to grow faster than local sales tax. The State of California temporarily backfilled county realignment revenues in fiscal year 2020-21. The value of this backfill to the City and County of San Francisco is $28.0 million.

*[Remainder of Page Intentionally Left Blank]*

*TABLE A-17*

**Fiscal Years 2017-18 through 2022-23**

**($millions)**

| Tax | 2017-18 Actuals | 2018-19 Actuals | 2019-20 Actuals | 2020-21 Projected[1] | 2021-22 Final Budget[2] | 2022-23 Final Budget[2] |
|---|---|---|---|---|---|---|
| **Health and Welfare Realignment** | | | | | | |
| General Fund | $197.9 | $217.6 | $219.6 | $211.0 | $238.4 | $240.6 |
| Hospital Fund | 57.3 | 58.5 | 54.1 | 54.1 | 54.3 | 54.3 |
| **Total - Health and Welfare** | **$255.2** | **$276.1** | **$273.7** | **$265.1** | **$292.7** | **$294.9** |
| **Backfill Realignment[3]** | | | | | | |
| General Fund | | | | $22.1 | | |
| Non General Fund | | | | 6.0 | | |
| **Total - Backfill Realignment** | | | | **$28.0** | | |
| Public Safety Realignment (General Fund) | $37.4 | $39.4 | $41.1 | $38.8 | $51.5 | $54.3 |
| Public Safety Sales Tax (Prop 172) (General Fund) | $104.8 | $107.6 | $103.9 | $107.6 | $82.0 | $80.4 |

1 1 Figure for fiscal year 2020-21 reflects projections from the Nine-Month Report Budget Status Report, May 14, 2021.

2 Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget from July 29, 2021.

3 Backfill Realignment is a one-time State funding to fill the shortfall in Health and Welfare Realignment and Public Safety Realignment due to the decrease of sales tax and vehicle license fees.

Source: Office of the Controller, City and County of San Francisco.

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## CITY GENERAL FUND PROGRAMS AND EXPENDITURES

### General Fund Expenditures by Major Service Area

As a consolidated city and county, San Francisco budgets General Fund expenditures in seven major service areas as described in Table A-18 below:

*TABLE A-18*

**CITY AND COUNTY OF SAN FRANCISCO**
**Expenditures by Major Service Area**
**Fiscal Years 2017-18 through 2022-23**
**(000s)**

| Major Service Areas | 2017-18 Final Budget | 2018-19 Final Budget | 2019-20 Final Budget | 2020-21 Original Budget[1] | 2021-22 Original Budget[2] | 2022-23 Original Budget[2] |
|---|---|---|---|---|---|---|
| Public Protection | $1,316,870 | $1,390,266 | $1,493,240 | $1,448,004 | $1,507,122 | $1,549,264 |
| Human Welfare & Neighborhood Development | 1,047,458 | 1,120,892 | 1,270,530 | 1,477,225 | 1,418,406 | 1,342,466 |
| Community Health | 832,663 | 967,113 | 1,065,051 | 1,152,275 | 1,056,459 | 1,063,063 |
| General Administration & Finance | 259,916 | 290,274 | 332,296 | 363,650 | 497,915 | 414,607 |
| Culture & Recreation | 142,081 | 154,056 | 161,274 | 158,511 | 220,866 | 186,718 |
| General City Responsibilities | 114,219 | 172,028 | 137,851 | 219,635 | 243,733 | 238,766 |
| Public Works, Transportation & Commerce | 238,564 | 214,928 | 216,824 | 186,729 | 236,525 | 199,350 |
| Total[2] | $3,951,771 | $4,309,557 | $4,677,066 | $5,006,029 | $5,181,026 | $4,994,234 |

[1] Figures for fiscal year 2020-21 from Final Adopted Budget, Oct. 1, 2020.

[2] Figures for fiscal year 2021-22 and 2022-23 from the Final Budget, July 29, 2021.

[3] Total may not add due to rounding

Source: Office of the Controller, City and County of San Francisco.

Public Protection primarily includes the Police Department, the Fire Department and the Sheriff's Office. Human Welfare & Neighborhood Development includes the Department of Human Services' aid assistance, aid payments, and City grant programs. Community Health includes the Public Health Department, which also operates San Francisco General Hospital and Laguna Honda Hospital.

For budgetary purposes, enterprise funds (which are not shown on the table above) are characterized as either self-supported funds or General Fund-supported funds. General Fund-supported funds include the Convention Facility Fund, the Cultural and Recreation Film Fund, the Gas Tax Fund, the Golf Fund, the General Hospital Fund, and the Laguna Honda Hospital Fund. These funds are supported by transfers from the General Fund to the extent their dedicated revenue streams are insufficient to support the desired level of services.

### Voter-Mandated Spending Requirements

The Charter requires funding for voter-mandated spending requirements, which are also referred to as "baselines," "set-asides," or "mandates". The chart below identifies the required and budgeted levels of funding for key mandates. The spending requirements are formula-driven, variously based on projected aggregate General Fund discretionary revenue, property tax revenues, total budgeted spending, staffing levels, or population growth. Table A-19 reflects fiscal year 2021-22 and 2022-23 spending requirements in the Original Budget. These mandates are generally budgeted as transfers out of the General Fund or allocations of property tax revenue.

*TABLE A-19*

**CITY AND COUNTY OF SAN FRANCISCO**
**Baselines & Set-Asides**
**FY 2021-22 and FY 2022-23**
**($millions)**

| | 2021-22 Original Budget[1] | 2022-23 Original Budget[1] |
|---|---|---|
| ***Projected General Fund Aggregate Discretionary Revenue (ADR)*** | ***$3,847.5*** | ***$4,355.2*** |
| **Municipal Transportation Agency (MTA)** | | |
| MTA - Municipal Railway Baseline: 6.686% ADR | $268.9 | $307.7 |
| MTA - Parking & Traffic Baseline: 2.507% ADR | 96.5 | 109.2 |
| MTA - Population Adjustment | 57.6 | 59.8 |
| MTA - 80% Parking Tax In-Lieu | 44.7 | 55.0 |
| **Subtotal - MTA** | **$467.7** | **$531.7** |
| **Library Preservation Fund** | | |
| Library - Baseline: 2.286% ADR | $87.9 | $99.6 |
| Library - Property Tax: $0.025 per $100 Net Assessed Valuation (NAV) | 68.9 | 71.9 |
| **Subtotal - Library** | **$156.9** | **$171.5** |
| **Children's Services** | | |
| *Children's Services Baseline - Requirement: 4.830% ADR* | *$185.8* | *$210.3* |
| Children's Services Baseline - Eligible Items Budgeted | 223.1 | 210.4 |
| *Transitional Aged Youth Baseline - Requirement: 0.580% ADR* | *22.3* | *25.3* |
| Transitional Aged Youth Baseline - Eligible Items Budgeted | 36.2 | 36.2 |
| Public Education Services Baseline: 0.290% ADR | 10.4 | 11.2 |
| Children and Youth Fund Property Tax Set-Aside: $0.0375-0.4 per $100 NAV | 110.3 | 115.1 |
| *Public Education Enrichment Fund: 3.057% ADR* | *117.6* | *133.1* |
| 1/3 Annual Contribution to Preschool for All | 39.2 | 44.4 |
| 2/3 Annual Contribution to SF Unified School District | 78.4 | 88.8 |
| **Subtotal - Children's Services** | **$497.6** | **$506.0** |
| **Recreation and Parks** | | |
| Open Space Property Tax Set-Aside: $0.025 per $100 NAV | $68.9 | $71.9 |
| *Recreation & Parks Baseline - Requirement* | 79.2 | 82.2 |
| Recreation & Parks Baseline - Budgeted | 93.5 | 85.9 |
| **Subtotal - Recreation and Parks** | **$162.4** | **$157.8** |
| **Other** | | |
| *Housing Trust Fund Requirement* | $42.4 | $45.2 |
| Housing Trust Fund Budget | 60.0 | 45.2 |
| Dignity Fund | 53.1 | 56.1 |
| Street Tree Maintenance Fund: 0.5154% ADR | 19.8 | 22.4 |
| Municipal Symphony Baseline: $0.00125 per $100 NAV | 3.7 | 3.9 |
| City Services Auditor: 0.2% of Citywide Budget | 23.4 | 22.3 |
| **Subtotal - Other** | **$160.1** | **$149.9** |
| **Recently Adopted Expenditure Requirements** | | |
| *Our City, Our Home Baseline Requirement (Nov 2018 Prop C)* | *215.0* | *215.0* |
| Our City, Our Home Budget, Estimated | 324.0 | 337.2 |
| *Early Care and Education Baseline Requirement (June 2018 Prop C)* | *85.1* | *96.3* |
| Early Care and Education Budget | 91.3 | 96.5 |
| **Total Baselines and Set-Asides** | **$1,860.0** | **$1,950.6** |

[1] Figures for fiscal years 2021-22 and 2022-23 reflect the Final Budget from July 29, 2021.

## EMPLOYMENT COSTS; POST-EMPLOYMENT OBLIGATIONS

The cost of salaries and benefits for City employees represents slightly less than half of the City's expenditures, totaling $5.6 billion in fiscal year 2020-21 Original Budget (all funds), and proposed to be $6.0 billion and $6.2 billion in fiscal years 2021-22 and 2022-23 in the Original Budget. For the General Fund, the combined salary and benefits original budget is $2.7 billion in fiscal year 2020-21 and proposed to be $2.8 billion and $2.9 billion in fiscal years 2021-22 and 2022-23 in the Original Budget.

This section discusses the organization of City workers into bargaining units, the status of employment contracts, and City expenditures on employee-related costs including salaries, wages, medical benefits, retirement benefits and the City's retirement system, and post-employment health and medical benefits. Employees of SF Unified School District ("SFUSD"), SFCCD and the San Francisco Superior Court, called Trial Court below, are not City employees.

### Labor Relations

The City's Original Budget for fiscal year 2021-22 included 38,551 full-time and part-time budgeted and funded City positions. City workers are represented by 36 different labor unions. The largest unions in the City are the Service Employees International Union, Local 1021 ("SEIU"), the International Federation of Professional and Technical Engineers, Local 21 ("IFPTE"), and the unions representing police, fire, deputy sheriffs, and transit workers.

Wages, hours and working conditions of City employees are determined by collective bargaining pursuant to State law (the Meyers-Milias-Brown Act, California Government Code Sections 3500-3511) and the City Charter. San Francisco is unusual among California's cities and counties in that nearly all of its employees, including managerial and executive-level employees, are represented by labor organizations.

Further, the City Charter requires binding arbitration to resolve negotiations in the event of impasse. If impasse is reached, the parties are required to convene a tripartite arbitration panel, chaired by an impartial third-party arbitrator, which sets the disputed terms of the new agreement. The award of the arbitration panel is final and binding. This process applies to all City employees except Nurses and a small group of unrepresented employees. Wages, hours and working conditions of nurses are not subject to interest arbitration but are subject to Charter-mandated economic limits. Since 1976, no City employees have participated in a union-authorized strike, which is prohibited by the Charter.

The City's employee selection procedures are established and maintained through a civil service system. In general, selection procedures and other merit system issues, with the exception of discipline, are not subject to arbitration. Disciplinary actions are generally subject to grievance arbitration, with the exception of sworn police officers and fire fighters.

In May 2019, the City negotiated three-year agreements (for fiscal years 2019-20 through 2021-22) with 27 labor unions. This includes the largest unions in the City such as SEIU, IFPTE, Laborers Internationals, Local 261, Consolidated Crafts Coalition, and Municipal Executive Association ("MEA"). For the fiscal year 2019-20, the parties agreed to wage increases of 3% on July 1, 2019 and 1% on December 28, 2019. For fiscal year 2020-21, the parties agreed to a wage increase schedule of 3% on July 1, 2020 and 0.5% on December 26, 2020, with a provision to delay the fiscal year 2020-21 increase by six months if the City's deficit for fiscal year 2020-21, as projected in the March Joint Report, exceeds $200 million. Because the March Joint Report projected a deficit for fiscal year 2020-21 in excess of $200 million, the scheduled wage increases as described above were delayed by approximately six months.

Also, in May 2019, the MTA negotiated three-year agreements (for fiscal years 2019-20 through 2021-22) with the unions that represent Transit Operators, Mechanics, Station Agents, Parking Control Officers and others. The parties agreed to the same wage increase schedule as the City, with the same wage deferral triggers.

For fiscal year 2021-22, the parties agreed to a wage increase schedule of 3% on July 1, 2021 and 0.5% on January 8, 2022, with a provision to delay the fiscal year 2021-22 increase by six months if the City's deficit for fiscal year 2021-22, as projected in the March Joint Report, exceeds $200 million. The scheduled July 1, 2021 wage increase was implemented as the March Joint Report did not project a $200 million deficit. For fiscal year 2021-22, the unrepresented employee ordinance was passed approving a wage increase of 3%.

In September 2020, the City negotiated MOU extensions with labor organizations representing sworn members of Fire and Police departments. These MOUs have been extended two years to now expire on June 30, 2023. The parties agreed to the 3.00% General Wage increase previously deferred until December 26, 2020 to be split and deferred as follows: 1.00% deferred until close of business on June 30, 2022, 2.00% deferred until close of business on June 30, 2023. For fiscal year 2021-22, the parties agreed to a wage increase schedule of 3% on July 1, 2021, with a provision to delay the fiscal year 2021-22 increase by six months if the City's deficit for fiscal year 2021-22, as projected in the March Joint Report, exceeds $200 million. For fiscal year 2022-23, the parties agreed to a wage increase schedule of 3% on July 1, 2022, with a provision to delay the fiscal year 2022-23 increase by six months if the City's deficit for fiscal year 2022-23, as projected in the March Joint Report, exceeds $200 million.

In the Fall of 2021 the City will commence its preparations for bargaining successor MOUs.

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*TABLE A-20*

**CITY AND COUNTY OF SAN FRANCISCO (All Funds)**
**Emplyoee Organizations as of September 1, 2021**

| Organization | City Budgeted Positions | Expiration Date of MOU |
|---|---|---|
| Auto Machinist, Local 1414 | 515 | 30-Jun-22 |
| BrickLayers, Local 3 | 6 | 30-Jun-22 |
| Building Inspectors' Association | 87 | 30-Jun-22 |
| Carpenters, Local 22 | 115 | 30-Jun-22 |
| Carpet, Linoleum & Soft Tile | 4 | 30-Jun-22 |
| Cement Masons, Local 300 | 43 | 30-Jun-22 |
| Deputy Probation Oficer Association (DPOA) | 131 | 30-Jun-22 |
| Deputy Sheriffs' Association (DSA) | 804 | 30-Jun-22 |
| Electrical Workers, Local 6 | 975 | 30-Jun-22 |
| Firefighters' Association,Local 798 | 1951 | 30-Jun-23 |
| Glaziers, Local 718 | 14 | 30-Jun-22 |
| Hod Carriers, Local 36 | 4 | 30-Jun-22 |
| Iron Workers, Local 377 | 14 | 30-Jun-22 |
| Laborers, Local 261 | 1180 | 30-Jun-22 |
| Municipal Attorneys' Associaction (MAA) | 481 | 30-Jun-22 |
| Municipal Executives' Association (MEA) Fire | 12 | 30-Jun-23 |
| Municipal Executives' Association (MEA) Miscellaneous | 1557 | 30-Jun-22 |
| Municipal Executives' Association (MEA ) Police | 16 | 30-Jun-23 |
| Operating Engineers, Local 3 | 68 | 30-Jun-22 |
| Operating Engineers, Local 3 Supervising Probation | 31 | 30-Jun-22 |
| Pile Drivers, Local 34 | 27 | 30-Jun-22 |
| Plumbers, Local 38 | 363 | 30-Jun-22 |
| Police Officers' Association (POA) | 2328 | 30-Jun-23 |
| Professional & Technical Engineers, Local 21 | 6746 | 30-Jun-22 |
| Roofers, Local 40 | 12 | 30-Jun-22 |
| SEIU, Local 1021, H-1 | 1 | 30-Jun-22 |
| SEIU, Local 1021, Misc | 13008 | 30-Jun-22 |
| SEIU, Local 1021, Nurses | 1769 | 30-Jun-22 |
| SF City Workers United | 133 | 30-Jun-22 |
| SFDA Investigators Association | 45 | 30-Jun-22 |
| Sheet Metal Workers, Local 104 | 39 | 30-Jun-22 |
| Sheriffs' Supervisory and Management Association (MSA) | 118 | 30-Jun-22 |
| Stationary Engineers, Local 39 | 695 | 30-Jun-22 |
| Teamsters, Local 853 | 188 | 30-Jun-22 |
| Teamsters, Local 856, Multi | 100 | 30-Jun-22 |
| Teamsters, Local 856, Supervising Nurses | 132 | 30-Jun-22 |
| Theatrical Stage Emp, Local 16 | 29 | 30-Jun-22 |
| TWU, Local 200 | 427 | 30-Jun-22 |
| TWU, Local 250-A, Auto Service Work | 145 | 30-Jun-22 |
| TWU, Local 250-A, Miscellaneois | 110 | 30-Jun-22 |
| TWU, Local 250-A, Transit Fare Inspectors | 45 | 30-Jun-22 |
| TWU, Local 250-A, Transit Operators | 2720 | 30-Jun-22 |
| Union of American Physicians and Dentists (UAPD) | 205 | 30-Jun-22 |
| Unrepresented | 89 | 30-Jun-22 |
| Other | 1071 | |
| | **38551** | |

**San Francisco Employees' Retirement System ("SFERS" or "Retirement System")**

**The SFERS investment portfolio posted a positive return of 2.41% for fiscal year 2019-20. These returns are lower than had been projected when the contribution rate for fiscal year 2020-21 was established, because the COVID-19 pandemic and the ensuing recession have led to stock market volatility. A decline in market value could result in future increases in required pension fund contributions.**

*History and Administration*

SFERS is charged with administering a defined-benefit pension plan that covers substantially all City employees and certain other employees. The Retirement System was initially established by approval of City voters on November 2, 1920 and the State Legislature on January 12, 1921 and is currently codified in the City Charter. The Charter provisions governing the Retirement System may be revised only by a Charter amendment, which requires an affirmative public vote at a duly called election.

The Retirement System is administered by the Retirement Board consisting of seven members, three appointed by the Mayor, three elected from among the members of the Retirement System, at least two of whom must be actively employed, and a member of the Board of Supervisors appointed by the President of the Board of Supervisors.

The Retirement Board appoints an Executive Director and an Actuary to aid in the administration of the Retirement System. The Executive Director serves as chief executive officer of SFERS. The Actuary's responsibilities include advising the Retirement Board on actuarial matters and monitoring of actuarial service providers. The Retirement Board retains an independent consulting actuarial firm to prepare the annual valuation reports and other analyses. The independent consulting actuarial firm is currently Cheiron, Inc., a nationally recognized firm selected by the Retirement Board pursuant to a competitive process.

The Internal Revenue Service ("IRS") issued a favorable Determination Letter for SFERS in July 2014. Issuance of a Determination Letter constitutes a finding by the IRS that operation of the defined benefit plan in accordance with the plan provisions and documents disclosed in the application qualifies the plan for federal tax-exempt status. A tax qualified plan also provides tax advantages to the City and to members of the Retirement System. The favorable Determination Letter included IRS review of all SFERS provisions, including the provisions of Proposition C approved by the City voters in November 2011. This 2014 Determination Letter has no operative expiration date pursuant to Revenue Procedure 2016-37. The IRS does not intend to issue new determination letters except under special exceptions.

*Membership*

Retirement System members include eligible employees of the City, SFUSD, SFCCD, and the San Francisco Trial Courts. The Retirement System estimates that the total active membership as of July 1, 2020 is 45,070, compared to 44,157 at July 1, 2019. Active membership at July 1, 2020 includes 9,478 terminated vested members and 1,071 reciprocal members. Terminated vested members are former employees who have vested rights in future benefits from SFERS. Reciprocal members are individuals who have established membership in a reciprocal pension plan such as CalPERS and may be eligible to receive a reciprocal pension from the Retirement System in the future. Monthly retirement allowances are paid to approximately 30,128 retired members and beneficiaries. Benefit recipients include retired members, vested members receiving a vesting allowance, and qualified survivors.

Table A-21 shows various member counts in the total Retirement System (City, SFUSD, SFCCD, and San Francisco Trial Courts) as of the five most recent actuarial valuation dates, July 1, 2016 through July 1, 2020. The number of retirees supported by each active member can be an important indicator of growing plan maturity and sensitivity to investment returns, assumption changes, and other changes to the System. In particular, if the ratio of retirees to active members grows, it indicates that any losses on retiree liabilities or assets are likely to place a relatively greater burden on employers and active members. The ratio for SFERS has been relatively stable over the last five years.

*TABLE A-21*

**City and County of San Francisco**
**Employees' Retirement System**
**July 1, 2016 through July 1, 2020**

| As of July 1st | Active Members | Vested Members | Reciprocal Members | Total Non-retired | Retirees & Continuants | Retiree to Active Ratio |
|---|---|---|---|---|---|---|
| 2016 | 32,406 | 6,617 | 1,028 | 40,051 | 28,286 | 0.873 |
| 2017 | 33,447 | 7,381 | 1,039 | 41,867 | 29,127 | 0.871 |
| 2018 | 33,946 | 8,123 | 1,060 | 43,129 | 29,965 | 0.883 |
| 2019 | 34,202 | 8,911 | 1,044 | 44,157 | 29,490 * | 0.862 |
| 2020 | 34,521 | 9,478 | 1,071 | 45,070 | 30,128 * | 0.873 |

Sources: SFERS' annual Actuarial Valuation Report dated July 1st.
See the Retirement System's website, mysfers.org, under Publications. The information on such website is not incorporated herein by reference.

Notes: Member counts are for the entire Retirement System and include non-City employees.
* Retiree member counts reflect combining records for members who have both a Safety and a Miscellaneous benefit.

*Funding Practices*

Employer and employee (member) contributions are mandated by the Charter. Sponsoring employers are required to contribute 100% of the actuarially determined contribution approved by the Retirement Board. The Charter specifies that employer contributions consist of the normal cost (the present value of the benefits that SFERS expects to become payable in the future attributable to a current year's employment) plus an amortization of the unfunded liability over a period not to exceed 20 years. The Retirement Board sets the funding policy subject to the Charter requirements.

The Retirement Board adopts the economic and demographic assumptions used in the annual valuations. Demographic assumptions such as retirement, termination and disability rates are based upon periodic demographic studies performed by the consulting actuarial firm approximately every five years. Economic assumptions are reviewed each year by the Retirement Board after receiving an economic experience analysis from the consulting actuarial firm.

At the December 9, 2020 Retirement Board meeting, the Board adopted all recommended demographic assumptions from the experience study dated August 12, 2020. The most significant adjustment was the update to the new Society of Actuaries public plan mortality tables, Pub-2010, for both general and safety members. The Board also adopted lower price and wage inflation rates, from 2.75% to 2.50% and from 3.50% to 3.25%, respectively. The new assumptions are first effective for the July 1, 2020 actuarial

valuation. The Board had previously voted to lower the assumed long-term investment earnings assumption from 7.50% to 7.40% at its November 2018 meeting, effective for the July 1, 2018 actuarial valuation.

While employee contribution rates are mandated by the Charter, sources of payment of employee contributions (i.e. City or employee) may be the subject of collective bargaining agreements with each union or bargaining unit. Since July 1, 2011, substantially all employee groups have agreed through collective bargaining for employees to contribute all employee contributions through pre-tax payroll deductions.

Prospective purchasers of the City's debt obligations should carefully review and assess the assumptions regarding the performance of the Retirement System. Audited financials and actuarial reports may be found on the Retirement System's website, mysfers.org, under Publications. The information on such website is not incorporated herein by reference. There is a risk that actual results will differ significantly from assumptions. In addition, prospective purchasers of the City's debt obligations are cautioned that the information and assumptions speak only as of the respective dates contained in the underlying source documents and are therefore subject to change.

*Employer Contribution History and Annual Valuations*

Fiscal year 2019-20 City employer contributions to the Retirement System were $701.3 million, which includes $388.4 million from the General Fund. For fiscal year 2020-21, total City employer contributions to the Retirement System were budgeted at $739.3 million, which included $457.7 million from the General Fund. These budgeted amounts were based upon the fiscal year 2020-21 employer contribution rate of 26.90% (estimated to be 23.5% after the 2011 Proposition C cost-sharing provisions). Employer contribution rates anticipate annual increases in pensionable payroll of 3.5%, and total contributions to the Retirement System could continue to climb even as contribution rates decline. As discussed under "City Budget – Five-Year Financial Plan" increases in retirement costs are projected in the City's Five Year Financial Plan.

Table A-22 shows total Retirement System liabilities, assets and percent funded for the last five actuarial valuations as well as contributions for the fiscal years 2015-16 through 2019-20. Information is shown for all employers in the Retirement System (City & County, SFUSD, SFCCD and San Francisco Trial Courts). "Actuarial Liability" reflects the actuarial accrued liability of the Retirement System measured for purposes of determining the funding contribution. "Market Value of Assets" reflects the fair market value of assets held in trust for payment of pension benefits. "Actuarial Value of Assets" refers to the plan assets with investment returns different than expected smoothed over five years to provide a more stable contribution rate. The "Market Percent Funded" column is determined by dividing the market value of assets by the actuarial accrued liability. The "Actuarial Percent Funded" column is determined by dividing the actuarial value of assets by the actuarial accrued liability. "Employee and Employer Contributions" reflects the sum of mandated employee and employer contributions received by the Retirement System in the fiscal year ended June 30th prior to the July 1st valuation date.

*TABLE A-22*

**City and County of San Francisco**
**Employees' Retirement System**
**Fiscal Years 2015-2016 through 2019-2020**
**(Amounts in 000s)**

| As of July 1st | Actuarial Liability | Market Value of Assets | Actuarial Value of Assets | Market Percent Funded | Actuarial Percent Funded | Employee & Employer Contributions in prior FY | Employer Contribution Rates[1] in prior FY |
|---|---|---|---|---|---|---|---|
| 2016 | $ 24,403,882 | $ 20,154,503 | $ 20,654,703 | 82.6% | 84.6% | $ 849,569 | 22.80% |
| 2017 | 25,706,090 | 22,410,350 | 22,185,244 | 87.2% | 86.3% | 868,653 | 21.40% |
| 2018 | 27,335,417 | 24,557,966 | 23,866,028 | 89.8% | 87.3% | 983,763 | 23.46% |
| 2019 | 28,798,581 | 26,078,649 | 25,247,549 | 90.6% | 87.7% | 1,026,036 | 23.31% |
| 2020 | 29,499,918 | 26,620,218 | 26,695,844 | 90.2% | 90.5% | 1,143,634 | 25.19% |

[1] Employer contribution rates are shown prior to employer/employee cost-sharing provisions of 2011 Proposition C. Employer contribution rates for fiscal years 2020-21 and 2021-22 are 26.90% and 24.41%, respectively.

Sources: SFERS' audited year-end financial statements and required supplemental information.
SFERS' annual Actuarial Valuation Report dated July 1st. See the Retirement System's website, mysfers.org, under Publications. The information on such website is not incorporated herein by reference.
Note: Information above reflects entire Retirement System, not just the City and County of San Francisco.

As shown in the table above as of July 2020, the Market Percent Funded ratio is slightly lower than the Actuarial Percent Funded ratio. The Actuarial Percent Funded ratio does not yet fully reflect the net asset losses from the last five fiscal years.

The actuarial accrued liability is measured by an independent consulting actuary in accordance with Actuarial Standards of Practice. In addition, an actuarial audit is conducted every five years in accordance with Retirement Board policy.

*Risks to City's Retirement Plan*

In its 2020 actuary report, Cheiron identified three primary risks to the System as required by Actuarial Standards of Practice No. 51 (Assessment and Disclosure of Risk Associated with Measuring Pension Obligations and Determining Pension Plan Contributions). The material risks identified were as follows: investment risk, interest rate risk, and supplemental COLA risk. Investment risk is the potential for investment returns to be different than expected, while interest rate risk is the potential for longer-term trends to impact economic assumptions such as inflation and wage increases but particularly the discount rate. Supplemental COLA risk is the potential for the cost of future Supplemental COLAs to increase contribution rates. Cheiron noted stress testing the supplemental COLA provision shows that the current funding policy of amortizing new supplemental COLAs over five years manages the risk prudently.

*Governmental Accounting Standards Board ("GASB") Disclosures*

The Retirement System discloses accounting and financial reporting information under GASB Statement No. 67, *Financial Reporting for Pension Plans*. The City discloses accounting and financial information about the Retirement System under GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*. In general, the City's funding of its pension obligations is not affected by the GASB 68 reporting of the City's pension liability. Funding requirements are specified in the City Charter and are described in "Funding Practices" above.

Total Pension Liability reported under GASB Statements No. 67 and 68 differs from the Actuarial Liability calculated for funding purposes in several ways, including the following differences. First, Total Pension Liability measured at fiscal year-end is a roll-forward of liabilities calculated at the beginning of the year and is based upon a beginning of year census adjusted for significant events that occurred during the year. Second, Total Pension Liability is based upon a discount rate determined by a blend of the assumed investment return, to the extent the fiduciary net position is available to make payments, and a municipal bond rate, to the extent that the fiduciary net position is unavailable to make payments. There have been no differences between the discount rate and assumed investment return at the last five fiscal year-ends. The third distinct difference is that Total Pension Liability includes a provision for Supplemental COLAs that may be granted in the future, while Actuarial Liability for funding purposes includes only Supplemental COLAs that have already been granted as of the valuation date. Supplemental COLAs do not occur every year as they are only granted after favorable investment experience and only to certain groups of retirees dependent upon the funded status of the pension plan. Supplemental COLAs are capped at 3.5% less any basic COLA. As the majority of retirees have annual basic COLAs capped at 2.0%, a Supplemental COLA when granted typically represents a 1.5% increase in benefit.

Table A-23 below shows for the five most recent fiscal years the collective Total Pension Liability, Plan Fiduciary Net Position (market value of assets), and Net Pension Liability for all employers who sponsor the Retirement System. The City's audited financial statements disclose only its own proportionate share of the Net Pension Liability and other required GASB 68 disclosures.

*TABLE A-23*

**City and County of San Francisco**
**Employees' Retirement System**
**GASB 67/68 Disclosures**
**Fiscal Years 2015-16 through 2019-20**
**(000s)**

| As of June 30th | Collective Total Pension Liability (TPL) | Discount Rate | Plan Fiduciary Net Position | Plan Net Position as % of TPL | Collective Net Pension Liability (NPL) | City and County's Proportionate Share of NPL |
|---|---|---|---|---|---|---|
| 2016 | $25,967,281 | 7.50 % | $20,154,503 | 77.6 % | $5,812,778 | $5,476,653 |
| 2017 | 27,403,715 | 7.50 | 22,410,350 | 81.8 | 4,993,365 | 4,697,131 |
| 2018 | 28,840,673 | 7.50 | 24,557,966 | 85.2 | 4,282,707 | 4,030,207 |
| 2019 | 30,555,289 | 7.40 | 26,078,649 | 85.3 | 4,476,640 | 4,213,807 |
| 2020 | 32,031,018 | 7.40 | 26,620,218 | 83.1 | 5,410,800 | 5,107,271 |

Sources: SFERS fiscal year-end GASB 67/68 Reports as of each June 30.
Notes: Collective amounts include all employees (City and County, SFUSD, SFCCD, Superior Courts)

While the increase in NPL between fiscal year-ends 2018 and 2019 is attributable to the decline in discount rate from 7.5% to 7.4%, the increase in NPL at fiscal year-end 2020 is due to the lower than expected investment returns during fiscal year 2019-2020.

*Asset Management*

The assets of the Retirement System, (the "Fund") are invested in a broadly diversified manner across the institutional global capital markets. In addition to U.S. equities and fixed income securities, the Fund holds international equities, global sovereign and corporate debt, global public and private real estate and an array of alternative investments including private equity and venture capital limited partnerships.

Annualized investment return (net of fees and expenses) for the Retirement System for the five years ending June 30, 2020 was 7.25%. For the ten-year and twenty-year periods ending June 30, 2020, annualized investment returns were 9.39% and 6.05% respectively.

The investments, their allocation, transactions and proxy votes are regularly reviewed by the Retirement Board and monitored by an internal staff of investment professionals who in turn are advised by external consultants who are specialists in the areas of investments detailed above. A description of the Retirement System's investment policy, a description of asset allocation targets and current investments, and the Annual Report of the Retirement System are available upon request from the Retirement System by writing to the San Francisco Retirement System, 1145 Market Street, 5th Floor, San Francisco, California 94103, or by calling (415) 487-7000. These documents are not incorporated herein by reference.

*2011 Voter Approved Changes to the Retirement Plan*

The levels of SFERS plan benefits are established under the Charter and approved directly by the voters, rather than through the collective bargaining process. Changes to retirement benefits require a voter-approved Charter amendment. As detailed below, the most recent changes to SFERS plan benefits have been intended to reduce pension costs associated with future City employees.

Voters of San Francisco approved Proposition C in November 2011 which provided the following:

1. New SFERS benefit plans for Miscellaneous and Safety employees commencing employment on or after January 7, 2012, which raise the minimum service retirement age for Miscellaneous members from 50 to 53; limit covered compensation to 85% of the IRC §401(a)(17) limits for Miscellaneous members and 75% of the IRC §401(a)(17) limits for Safety members; calculate final compensation using highest three-year average compensation; and decrease vesting allowances for Miscellaneous members by lowering the City's funding for a portion of the vesting allowance from 100% to 50%;

2. Employees commencing employment on or after January 7, 2012 otherwise eligible for membership in CalPERS may become members of SFERS;

3. Cost-sharing provisions which increase or decrease employee contributions to SFERS on and after July 1, 2012 for certain SFERS members based on the employer contribution rate set by the Retirement Board for that year. For example, Miscellaneous employees hired on or after November 2, 1976 pay a Charter-mandated employee contribution rate of 7.5% before-cost-sharing. However, after cost-sharing those who earn between $50,000 and $100,000 per year pay a fluctuating rate in the range of 3.5% to 11.5% and those who earn $100,000 or more per year pay a fluctuating rate in the range of 2.5% to 12.5%. Similar fluctuating employee contributions are also required from Safety employees; and

4. Effective July 1, 2012, no Supplemental COLA will be paid unless SFERS is fully funded on a market value of assets basis and, for employees hired on or after January 7, 2012, Supplemental COLA benefits will not be permanent adjustments to retirement benefits - in any year when a Supplemental COLA is not paid, all previously paid Supplemental COLAs will expire.

A retiree organization has brought a legal action against the requirement in Proposition C that SFERS be fully funded in order to pay the Supplemental COLA. In that case, *Protect our Benefits (POB) v. City of San Francisco* (1st DCA Case No. A140095), the Court of Appeals held that changes to the Supplemental COLA adopted by the voters in November 2011 under Proposition C could not be applied to current City employees and those who retired after November 1996 when the Supplemental COLA provisions were originally adopted, but could be applied to SFERS members who retired before November 1996. This decision is now final, and its implementation increased the July 1, 2016 unfunded actuarial liability by $429.3 million for Supplemental COLAs granted retroactive to July 1, 2013 and July 1, 2014.

On July 13, 2016, the SFERS Board adopted a Resolution to exempt members who retired before November 6, 1996, from the "fully funded" provision related to payment of Supplemental COLAs under Proposition C. The Resolution directed that retroactive payments for Supplemental COLAs be made to these retirees. After the SFERS Board adopted the Resolution, the Retirement System published an actuarial study on the cost to the Fund of payments to the pre-1996 retirees. The study reports that the two retroactive supplemental payments will trigger immediate payments of $34 million, create additional liability for continuing payments of $114 million, and cause a new unfunded liability of $148 million. This liability does not include the Supplemental COLA payments that may be triggered in the future. Under the cost sharing formulas in Proposition C, the City and its employees will pay for these costs in the form of higher yearly contribution rates. The Controller has projected the future cost to the City and its employees to be $260 million, with over $200 million to be paid in the next five fiscal years. The City obtained a permanent injunction to prevent SFERS from making Supplemental COLA payments to these members who retired before November 6, 1996. The Retirement Board appealed the Superior Court's injunction; however, the injunction was affirmed by the Court of Appeal reserving the power to take action for the City's voters.

In August 2012, then-Governor Brown signed the Public Employee Pension Reform Act of 2012 ("PEPRA"). Current plan provisions of SFERS are not subject to PEPRA although future amendments may be subject to these reforms.

*Impact on the Retirement System from Changes in the Economic Environment*

As of June 30, 2020, the audited market value of Retirement System assets was $26.6 billion. As of July 31, 2021, the unaudited value of the System assets was $35.4 billion. These values represent, as of the date specified, the estimated value of the Retirement System's portfolio if it were liquidated on that date. The Retirement System cannot be certain of the value of certain of its portfolio assets and, accordingly, the market value of the portfolio could be lower or higher. Moreover, appraisals for classes of assets that are not publicly traded are based on estimates which typically lag changes in actual market value by three to six months. Representations of market valuations are audited at each fiscal year end as part of the annual audit of the Retirement System's financial statements.

The Retirement System investment portfolio is structured for long-term performance. The Retirement System continually reviews investment and asset allocation policies as part of its regular operations and continues to rely on an investment policy which is consistent with the principles of diversification and the

search for long-term value. Market fluctuations are an expected investment risk for any long-term strategy. Significant market fluctuations are expected to have significant impact on the value of the Retirement System investment portfolio.

A decline in the value of SFERS Trust assets over time, without a commensurate decline in the pension liabilities, will result in an increase in the contribution rate for the City. No assurance can be provided by the City that contribution rates will not increase in the future, and that the impact of such increases will not have a material impact on City finances.

*Other Employee Retirement Benefits*

As noted above, various City employees are members of CalPERS, an agent multiple-employer public employee defined benefit plan for safety members and a cost-sharing multiple-employer plan for miscellaneous members. The City makes certain payments to CalPERS in respect of such members, at rates determined by the CalPERS board. Section A8.510 of the Charter requires the City to pay the full amount required by the actuarial valuations. The actual total employer contributions to CalPERS was $40.8 million in fiscal year 2019-20. In addition to the required amounts, the City elected to pay an additional amount of $8.4 million in fiscal years 2017-18, 2018-19 and 2019-2020 in order to reduce its unfunded liability. A discussion of other post-employment benefits, including retiree medical benefits, is provided below under "Medical Benefits – *Post-Employment Health Care Benefits and GASB 75 Reporting Requirements*."

**Medical Benefits**

*Administration through San Francisco Health Service System; Audited System Financial Statements*

Medical and COBRA benefits for eligible active City employees and eligible dependents, for retired City employees and eligible dependents, and for surviving spouses and domestic partners of covered City employees (the "City Beneficiaries") are administered by the San Francisco Health Service System (the "San Francisco Health Service System" or "SFHSS") pursuant to City Charter Sections 12.200 *et seq.* and A8.420 *et seq.* Pursuant to such Charter Sections, the SFHSS also administers medical benefits to active and retired employees of SFUSD, SFCCD and the San Francisco Superior Court; however, the City is only required to fund medical benefits for City Beneficiaries.

The San Francisco Health Service System is overseen by the City's Health Service Board (the "Health Service Board"). The plans (the "SFHSS Medical Plans") for providing medical care to the City Beneficiaries are determined annually by the Health Service Board and approved by the Board of Supervisors pursuant to Charter Section A8.422.

The San Francisco Health Service System oversees a trust fund (the "Health Service System Trust Fund") established pursuant to Charter Sections 12.203 and A8.428 through which medical benefits for the City Beneficiaries are funded. The San Francisco Health Service System issues an annual, publicly available, independently-audited financial report that includes financial statements for the Health Service Trust Fund. This report may be obtained through the SFHSS website at sfhss.org, by writing to the San Francisco Health Service System, 1145 Market Street, Third Floor, San Francisco, California 94103, or by calling (628) 652-4646. Audited annual financial statements for prior years are posted to the SFHSS website, however the information available on the SFHSS website is not incorporated in this Official Statement by reference.

Under the City Charter, the Health Service System Trust Fund is not a fund through which assets are accumulated to finance post-employment healthcare benefits (an "Other Post-Employment Benefits Trust Fund"). Thus, GASB Statement Number 45, *Financial Reporting for Postemployment Benefit Plans Other Than Pensions* ("GASB 45") and GASB Statement Number 75, Accounting and Financial Reporting for Postemployment Benefits Other than Pensions, which apply to OPEB trust funds, do not apply to the San Francisco Health Service System Trust Fund. However, the City has been funding the Retiree Health Care Trust Fund for the purpose of prefunding future OPEB payments as described below.

*Determination of Employer and Employee Contributions for Medical Benefits*

According to the City Charter Section A8.428, the City's contribution towards SFHSS Medical Plans for active employees and retirees is determined by the results of an annual survey of the amount of premium contributions provided by the ten most populous counties in California (other than the City) for health care. The survey is commonly called the 10-County Average Survey and is used to determine "the average contribution made by each such County toward the providing of health care plans, exclusive of dental or optical care, for each employee of such County." The "average contribution" is used to calculate the City's required contribution to the Health Service System Trust Fund for retirees.

Unions representing approximately 93.3% of City employees, negotiate through collective bargaining rather than applying the "average contribution" to determine the amount the City is required to contribute for active employees. To the extent annual medical premiums exceed the contributions made by the City as required by the Charter and union agreements, such excess must be paid by SFHSS Beneficiaries. Medical benefits for City Beneficiaries who are retired or otherwise not employed by the City (e.g., surviving spouses and surviving domestic partners of City retirees) ("Nonemployee City Beneficiaries") are funded through contributions from such Nonemployee City Beneficiaries and the City as determined pursuant to Charter Section A8.428. The San Francisco Health Service System medical benefit eligibility requirements for Nonemployee City Beneficiaries are described below under "– *Post-Employment Health Care Benefits."*

*[Remainder of Page Intentionally Left Blank]*

*City Contribution for Retirees*

The City contributes the full employer contribution amount for medical coverage for eligible retirees who were hired on or before January 9, 2009 pursuant to Charter Section A8.428. For retirees who were hired on or after January 10, 2009, the City contributes a portion of the medical coverage costs based on five coverage / employer contribution classifications that reflect certain criteria outlined in the table below.

| **Retiree Medical Coverage / Employer Contribution for Those Hired On or After January 10, 2009** | |
|---|---|
| Years of Credited Service at Retirement | Percentage of Employer Contribution Established in Charter Section A8.428 Subsection (b)(3) |
| Less than 5 year of Credited Service with the Employers (except for the surviving spouses or surviving domestic partners of active employees who died in the line of duty) | No Retiree Medical Benefits Coverage |
| At least 5 but less than 10 years of Credited Service with the Employers; or greater than 10 years of Credited Service with the Employers but not eligible to receive benefits under Subsections (a)(4), (b)(5) **(A8.428 Subsection (b)(6))** | 0% - Access to Retiree Medical Benefits Coverage.<br>Including Access to Dependent Coverage |
| At least 10 but less than 15 years of Credited Service with the Employers **(AB.428 Subsection (b)(5))** | 50% |
| At least 15 but less than 20 years pf Credited Service with the Employers **(AB.428 Subsection (b)(5))** | 75% |
| At least 20 years of Credited Service with the Employer; Retired Persons who retired for disability; surviving spouses or surviving domestic partners of active employees who died in the line of duty **(AB.428 Subsection (b)(4))** | 100% |

*Health Care Reform*

The following discussion is based on the current status of the Patient Protection and Affordable Care Act (the "ACA"). Many attempts have been made to completely repeal the ACA, however full repeal has been unsuccessful thus far.

Three ACA taxes impact SFHSS rates for medical coverage. The taxes and the current status are as follow:

- **Excise Tax on High-cost Employer-sponsored Health Plans**
  The Excise Tax on High-cost Employer-sponsored Health Plans (Cadillac Tax) is a 40% excise tax on high-cost coverage health plans. The National Defense Authorization Act for Fiscal Year 2020 repealed the Cadillac tax, effective January 1, 2020.

- **Health Insurance Tax ("HIT")**
  The ACA also imposed a tax on health insurance providers, which was passed on to employer sponsored fully-insured plans in the form of higher premiums. The HIT was in effect in 2020 and substantially impacted rates. The tax was repealed effective January 1, 2021 also by the National Defense Authorization Act for Fiscal Year 2020.

- **Medical Device Excise Tax**
  The ACA's medical device excise tax imposes a 2.3 percent tax on sales of medical devices (except certain devices sold at retail). The tax was repealed effective January 1, 2020.

- **Patient-Centered Outcomes Research Institute (PCORI) Fee**
  Congress revived and extended the PCORI fee, which had expired in 2019. The PCORI fee, adopted in the ACA, is paid by issuers of health insurance policies and plan sponsors of self-insured health plans to help fund the Patient-Centered Outcomes Research Institute. The fee is based on the average number of lives covered under the policy or plan. The fee will now apply to policy or plan years ending on or after October 1, 2012, and before October 1, 2029.

*Employer Contributions for San Francisco Health Service System Benefits*

For fiscal year 2019-20, based on the most recent audited financial statements, the San Francisco Health Service System received approximately $822.5 million from participating employers for San Francisco Health Service System benefit costs. Of this total, the City contributed approximately $697.0 million; approximately $196.5 million of this $697.0 million amount was for health care benefits for approximately 23,201 retired City employees and their eligible dependents, and approximately $500.5 million was for benefits for approximately 32,956 active City employees and their eligible dependents.

The 2021 aggregate (employee and employer) cost of medical benefits offered by SFHSS to the City increased by 3.85%, which is below national trends of 5.5% to 6%. This can be attributed to several factors including aggressive contracting by SFHSS that maintains competition among the City's vendors, implementing Accountable Care Organizations that reduced utilization and increased use of generic prescription rates and changing the City's Blue Shield plan from a fully-funded to a flex-funded product and implementing a narrow network. Flex-funding allows lower premiums to be set by the City's actuarial consultant, Aon, without the typical margins added by Blue Shield; however, more risk is assumed by the City, and reserves are required to protect against this risk. The 2021 aggregate cost of benefits offered by SFHSS to the City increased 3.61% which is also less than the national trends.

*Post-Employment Health Care Benefits*

Eligibility of former City employees for retiree health care benefits is governed by the Charter. In general, employees hired before January 10, 2009 and a spouse or dependent are potentially eligible for health benefits following retirement at age 50 and completion of five years of City service. Proposition B, passed by San Francisco voters on June 3, 2008, tightened post-retirement health benefit eligibility rules for employees hired on or after January 10, 2009, and generally requires payments by these employees equal to 2% of their salary, with the City contributing an additional 1%, into a Retiree Health Care Trust Fund.

Under Proposition C, passed by San Francisco voters in November of 2011, employees hired on or before January 9, 2009, were required to contribute 0.25% of compensation into the Retiree Health Care Trust Fund beginning in fiscal year 2016-17. This contribution increased to 0.50% in fiscal year 2017-18, 0.75% in fiscal year 2018-19, and reached the maximum contribution of 1.00% in fiscal year 2019-20. These contributions are matched by the City on a one-to-one basis.

Unlike employee pension contributions that are made to individual accounts, contributions to the Retiree Health Care Trust Fund are non-refundable, even if an employee separates from the City and does not receive retiree health care from the City.

Proposition A, passed by San Francisco voters on November 5, 2013, restricted the City's ability to withdraw funds from the Retiree Health Care Trust Fund. The restrictions allow payments from the fund only when certain conditions are met. The balance in the Retiree Health Care Trust Fund as of June 30, 2019 is approximately $366.6 million. The City will continue to monitor and update its actuarial valuations of liability as required under GASB 75.

*GASB 75 Reporting Requirements*

In June 2015, GASB issued Statement No. 75 – Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions ("GASB 75"). GASB 75 revises and establishes new accounting and financial reporting requirements for governments that provide their employees with OPEBs. The new standard is effective for periods beginning after June 15, 2017. The City implemented the provisions of GASB 75 in its audited financial statements for Fiscal Year 2017-18. According to GASB's Summary of GASB 75, GASB 75 requires recognition of the entire OPEB liability, a more comprehensive measure of OPEB expense, and new note disclosures and required supplementary information to enhance decision-usefulness and accountability.

*City's Estimated Liability*

The City is required by GASB 75 to prepare a new actuarial study of its postemployment benefits obligation at least once every two years. As of the measurement date of June 30, 2019 (issued November 2020), used in the most recent actuarial valuation report updated June 30, 2019, the retiree health care fiduciary plan net position as a percentage of the total OPEB liability was 8.6%. This reflects the net position of the Retiree Health Care Trust Fund in the amount of $366.6 million divided by the total OPEB liability of $4.3 billion. The estimated covered payroll (annual payroll of active employees covered by the plan) was $3.76 billion, and the ratio of the Net OPEB liability to the covered payroll was 104.0%.

While GASB 75 does not require funding of the annual OPEB cost, any differences between the amount funded in a year and the annual OPEB cost are recorded as increases or decreases in the net OPEB liability. Five-year trend information is displayed in Table A-24, which reflects the annual OPEB expense and the City's charter mandated payments on a percentage basis. For example, for fiscal year 2019-20 the annual OPEB expense was $330.6 million, and the City paid $236.0 million, which includes "pay-as-you-go" benefit payments and contributions to the Retiree Health Care Trust Fund.

*TABLE A-24*

**CITY AND COUNTY OF SAN FRANCISCO**
**Five-year Trend**
**Fiscal Years 2015-16 to 2019-20**
**(000s)**

| Fiscal Year | Annual OPEB | Percentage of Annual OPEB Cost Funded | Net OPEB Obligation |
|---|---|---|---|
| 2015-16 | 326,133 | 51.8% | 2,147,434 |
| 2016-17 | 421,402 | 43.6% | 2,384,938 |
| 2017-18 | 355,186 | 57.4% | 3,717,209 [1] |
| 2018-19 | 320,331 | 68.2% | 3,600,967 |
| 2019-20 | 330,673 | 76.8% | 3,915,815 |

1 Starting in FY2017-18, the liability amount reflects what is referred to as Net OPEB Liability due to the implementation of GASB Statement No. 75.

## Total City Employee Benefits Costs

Table A-25 provides historical and budget information for all health benefits costs paid including pension, health, dental and other miscellaneous benefits. Historically, approximately 50% of health benefit costs are paid from the General Fund. For all fiscal years shown, a "pay-as-you-go" approach was used by the City for health care benefits.

Table A-25 below provides a summary of the City's employee benefit actual costs for fiscal years 2016-17 through 2019-20 and budgeted costs for fiscal years 2020-21 through 2021-22.

*TABLE A-25*

**CITY AND COUNTY OF SAN FRANCISCO**
**Employee Benefit Costs, All Funds**
**Fiscal Years 2016-17 through 2021-22**
**(000s)**

| | 2016-17 Actual[1] | 2017-18 Actual[1] | 2018-19 Actual[1] | 2019-20 Actual[1] | 2020-21 Budget[4] | 2021-22 Budget[4] |
|---|---|---|---|---|---|---|
| SFERS and PERS Retirement Contributions | $554,956 | $621,055 | $650,011 | $751,952 | $785,106 | $803,986 |
| Social Security & Medicare | 196,914 | $212,782 | $219,176 | $228,477 | $231,962 | $233,802 |
| Health - Medical + Dental, active employees [2] | 459,772 | $501,831 | $522,006 | $547,874 | $547,396 | $576,005 |
| Health - Retiree Medical [2] | 165,822 | $178,378 | $186,677 | $196,641 | $218,896 | $232,047 |
| Other Benefits [3] | 21,388 | $44,564 | $26,452 | $28,272 | $31,742 | $37,642 |
| Total Benefit Costs | $1,398,852 | $1,558,609 | $1,604,322 | $1,753,215 | $1,815,103 | $1,883,482 |

[1] Fiscal year 2016-17 through fiscal year 2019-20 figures are actuals.
[2] Does not include Health Service System administrative costs. Does include flexible benefits that may be used for health insurance.
[3] "Other Benefits" includes unemployment insurance premiums, life insurance and other miscellaneous employee benefits.
[4] Reflects Final Adopted Budget for 2020-21 and 2021-22 .

Source: Office of the Controller, City and County of San Francisco.

**INVESTMENT OF CITY FUNDS**

*Investment Pool*

The Treasurer of the City (the "Treasurer") is authorized by Charter Section 6.106 to invest funds available under California Government Code Title 5, Division 2, Part 1, Chapter 4. In addition to the funds of the City, the funds of various City departments and local agencies located within the boundaries of the City, including the school and community college districts, airport and public hospitals, are deposited into the City and County's Pooled Investment Fund (the "Pool"). The funds are commingled for investment purposes.

*Investment Policy*

The management of the Pool is governed by the Investment Policy administered by the Office of the Treasurer and Tax Collector in accordance with California Government Code Sections 27000, 53601, 53635, et. al. In order of priority, the objectives of this Investment Policy are safety, liquidity and return on investments. Safety of principal is the foremost objective of the investment program. The investment portfolio maintains sufficient liquidity to meet all expected expenditures for at least the next six months. The Office of the Treasurer and Tax Collector also attempts to generate a market rate of return, without undue compromise of the first two objectives.

The Investment Policy is reviewed and monitored annually by a Treasury Oversight Committee established by the Board of Supervisors. The Treasury Oversight Committee meets quarterly and is comprised of members drawn from (a) the Treasurer; (b) the Controller; (c) a representative appointed by the Board of Supervisors; (d) the County Superintendent of Schools or his/her designee; (e) the Chancellor of the Community College District or his/her designee; and (f) Members of the general public. A complete copy of the Treasurer's Investment Policy, dated May 2021, is included as an Appendix to this Official Statement.

*Investment Portfolio*

As of July 31, 2021, the City's surplus investment fund consisted of the investments classified in Table A-26 and had the investment maturity distribution presented in Table A-27.

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*TABLE A-26*

**City and County of San Francisco**
**Investment Portfolio**
**Pooled Funds**
**As of July 31, 2021**

| Type of Investment | Par Value | Book Value | Market Value |
|---|---|---|---|
| U.S. Treasuries | $5,498,860,000 | $5,530,274,778 | $5,530,835,648 |
| Federal Agencies | 4,005,336,000 | 4,007,769,076 | 4,027,028,472 |
| Public Time Deposits | 40,000,000 | 40,000,000 | 40,000,000 |
| Negotiable Certificates of Deposit | 1,905,000,000 | 1,905,000,000 | 1,905,877,883 |
| Money Market Funds | 774,049,334 | 774,049,334 | 774,049,334 |
| Supranationals | 340,000,000 | 345,612,806 | 345,271,600 |
| Total | $12,563,245,334 | $12,602,705,994 | $12,623,062,938 |

July Earned Income Yield: 0.462%

*Sources: Office of the Treasurer and Tax Collector, City and County of San Francisco*
*From Citibank-Custodial Safekeeping, SunGard Systems-Inventory Control Program.*

*TABLE A-27*

**City and County of San Francisco**
**Investment Maturity Distribution**
**Pooled Funds**
**As of July 31, 2021**

| Maturity in Months | | | Par Value | Percentage |
|---|---|---|---|---|
| 0 | to | 1 | 1,453,049,334 | 11.57% |
| 1 | to | 2 | 650,000,000 | 5.17% |
| 2 | to | 3 | 655,500,000 | 5.22% |
| 3 | to | 4 | 885,860,000 | 7.05% |
| 4 | to | 5 | 714,000,000 | 5.68% |
| 5 | to | 6 | 823,450,000 | 6.55% |
| 6 | to | 12 | 3,083,410,000 | 24.54% |
| 12 | to | 24 | 1,567,140,000 | 12.47% |
| 24 | to | 36 | 565,464,000 | 4.50% |
| 36 | to | 48 | 1,345,272,000 | 10.71% |
| 48 | to | 60 | 820,100,000 | 6.53% |
| | | | $12,563,245,334 | 100.00% |

Weighted Average Maturity: 468 Days

*Sources: Office of the Treasurer and Tax Collector, City and County of San Francisco*
*From Citibank-Custodial Safekeeping, SunGard Systems-Inventory Control Program.*

*Further Information*

A report detailing the investment portfolio and investment activity, including the market value of the portfolio, is submitted to the Mayor and the Board of Supervisors monthly. The monthly reports and annual reports are available on the Treasurer's web page: www.sftreasurer.org. The monthly reports and annual reports are not incorporated by reference herein.

## CAPITAL FINANCING AND BONDS

### Capital Plan

In October 2005, the Board of Supervisors adopted, and the Mayor approved, Ordinance No. 216-05, which established a new capital planning process for the City. The legislation requires that the City develop and adopt a 10-year capital expenditure plan for City-owned facilities and infrastructure. It also created the Capital Planning Committee ("CPC") and the Capital Planning Program ("CPP"). The CPC makes recommendations to the Mayor and Board of Supervisors on the City's capital expenditures and plans. The CPC reviews and submits the Capital Plan, Capital Budget, and issuances of long-term debt for approval. The CPC is chaired by the City Administrator and includes the President of the Board of Supervisors, the Mayor's Budget Director, the Controller, the City Planning Director, the Director of Public Works, the Airport Director, the Executive Director of the Municipal Transportation Agency, the General Manager of the Public Utilities Commission, the General Manager of the Recreation and Parks Department, and the Executive Director of the Port of San Francisco. To help inform CPC recommendations, the CPP staff, under the direction of the City Administrator, review and prioritize funding needs; project and coordinate funding sources and uses; and provide policy analysis and reports on interagency capital planning.

The City Administrator, in conjunction with the CPC, is directed to develop and submit a 10-year capital plan every other fiscal year for approval by the Board of Supervisors. The Capital Plan is a fiscally constrained long-term finance strategy that prioritizes projects based on a set of funding principles. It provides an assessment of the City's infrastructure and other funding needs over 10 years, highlights investments required to meet these needs and recommends a plan of finance to fund these investments. Although the Capital Plan provides cost estimates and proposes methods to finance such costs, the document does not reflect any commitment by the Board of Supervisors to expend such amounts or to adopt any specific financing method. The Capital Plan is required to be updated and adopted biennially, along with the City's Five-Year Financial Plan and the Five-Year Information & Communication Technology Plan. The CPC is also charged with reviewing the annual capital budget submission and all long-term financing proposals and providing recommendations to the Board of Supervisors relating to the compliance of any such proposal or submission with the adopted Capital Plan.

The Capital Plan is required to be submitted to the Mayor and the Board of Supervisors by each March 1 in odd-numbered years and adopted by the Board of Supervisors and the Mayor on or before May 1 of the same year. The fiscal years 2022-2031 Capital Plan ("Adopted Capital Plan") was approved by the CPC on February 22, 2021 and was adopted by the Board of Supervisors on April 30, 2021. The Adopted Capital Plan contains $38.0 billion in capital investments over the coming decade for all City departments, including $4.6 billion in projects for General Fund-supported departments. The Adopted Capital Plan proposes $1.2 billion for General Fund pay-as-you-go capital projects over the next 10 years. The amount

for General Fund pay-as-you-go capital projects is $1 billion lower than the previous capital plan funding level due to budget impacts in the early years resulting from the COVID-19 pandemic. Major capital projects for General Fund-supported departments included in the Capital Plan consist of critical seismic projects and relocation of staff from seismically vulnerable facilities; upgrades to public health, police, and fire facilities; transportation and utility system improvements; improvements to homeless service sites and permanent supportive housing projects; affordable housing; street and right-of-way improvements; the removal of barriers to accessibility; and park improvements, among other capital projects. $1.5 billion of the capital projects of General Fund supported departments are expected to be financed with general obligation bonds and other long- term obligations, subject to planning policy constraints. The balance is expected to be funded by federal and State funds, the General Fund and other sources.

In addition to the City General Fund-supported capital spending, the Adopted Capital Plan recommends $18.0 billion in enterprise fund department projects to continue major transit, economic development and public utility projects such as the Central Subway project, runway and terminal upgrades at San Francisco International Airport, Pier 70 infrastructure investments, the Sewer System Improvement Program, and building adequate facilities to support the City's growing transit fleet, among others. Approximately $8.5 billion of enterprise fund department capital projects are anticipated to be financed with revenue bonds and general obligation bonds. The balance is expected to be funded by federal and State funds, user/operator fees, General Fund and other sources.

While significant investments are proposed in the City's Adopted Capital Plan, identified resources remain below those necessary to maintain and enhance the City's physical infrastructure. As a result, over $7.5 billion in capital needs including enhancements are deferred from the plan's horizon.

Failure to make the capital improvements and repairs recommended in the Capital Plan may have the following impacts: (i) failing to meet federal, State or local legal mandates; (ii) failing to provide for the imminent life, health, safety and security of occupants and the public; (iii) failing to prevent the loss of use of the asset; (iv) impairing the value of the City's assets; (v) increasing future repair and replacement costs; and (vi) harming the local economy.

**Tax-Supported Debt Service – City General Obligation Bonds**

Under the State Constitution and the Charter, City bonds secured by *ad valorem* property taxes ("general obligation bonds" or "GO bonds") can only be authorized with a two-thirds approval of the voters. As of September 1, 2021, the City had approximately $3.0 billion aggregate principal amount of GO bonds outstanding. In addition to the City's general obligation bonds, BART, SFUSD and SFCCD also have outstanding general obligation bonds as shown in Table A-33.

Table A-28 shows the annual amount of debt service payable on the City's outstanding GO bonds.

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*TABLE A-28*

**CITY AND COUNTY OF SAN FRANCISCO**
**General Obligation Bonds Debt Service**
**As of September 1, 2021** [1] [2] [3]

| Fiscal Year | Principal | Interest | Annual Debt Service |
|---|---|---|---|
| 2021-22 | $319,013,401 | $113,813,253 | $432,826,654 |
| 2022-23 | 175,400,251 | 105,307,642 | 280,707,893 |
| 2023-24 | 178,891,206 | 97,241,247 | 276,132,453 |
| 2024-25 | 181,516,476 | 88,992,503 | 270,508,979 |
| 2025-26 | 170,446,279 | 80,707,641 | 251,153,920 |
| 2026-27 | 177,250,840 | 73,337,575 | 250,588,415 |
| 2027-28 | 183,549,035 | 65,976,603 | 249,525,638 |
| 2028-29 | 189,611,751 | 58,675,202 | 248,286,953 |
| 2029-30 | 187,870,095 | 50,825,222 | 238,695,317 |
| 2030-31 | 148,431,950 | 43,311,830 | 191,743,780 |
| 2031-32 | 153,595,000 | 37,851,481 | 191,446,481 |
| 2032-33 | 120,745,000 | 32,455,186 | 153,200,186 |
| 2033-34 | 101,745,000 | 28,200,045 | 129,945,045 |
| 2034-35 | 95,040,000 | 24,705,347 | 119,745,347 |
| 2035-36 | 80,045,000 | 21,475,808 | 101,520,808 |
| 2036-37 | 69,590,000 | 18,769,081 | 88,359,081 |
| 2037-38 | 60,880,000 | 16,429,118 | 77,309,118 |
| 2038-39 | 42,505,000 | 14,358,049 | 56,863,049 |
| 2039-40 | 42,240,000 | 12,952,057 | 55,192,057 |
| 2040-41 | 36,635,000 | 11,535,894 | 48,170,894 |
| 2041-42 | 37,970,000 | 10,201,011 | 48,171,011 |
| 2042-43 | 39,365,000 | 8,802,762 | 48,167,762 |
| 2043-44 | 40,820,000 | 7,352,149 | 48,172,149 |
| 2044-45 | 42,315,000 | 5,846,885 | 48,161,885 |
| 2045-46 | 38,505,000 | 4,285,480 | 42,790,480 |
| 2046-47 | 5,005,000 | 2,880,246 | 7,885,246 |
| 2047-48 | 5,170,000 | 2,710,945 | 7,880,945 |
| 2048-49 | 5,345,000 | 2,535,881 | 7,880,881 |
| 2049-50 | 5,530,000 | 2,354,712 | 7,884,712 |
| 2050-51 | 5,725,000 | 2,159,925 | 7,884,925 |
| 2051-52 | 5,935,000 | 1,950,338 | 7,885,338 |
| 2052-53 | 6,155,000 | 1,732,790 | 7,887,790 |
| 2053-54 | 6,380,000 | 1,506,973 | 7,886,973 |
| 2054-55 | 6,610,000 | 1,272,671 | 7,882,671 |
| 2055-56 | 6,855,000 | 1,029,667 | 7,884,667 |
| 2056-57 | 7,110,000 | 777,438 | 7,887,438 |
| 2057-58 | 7,370,000 | 515,551 | 7,885,551 |
| 2058-59 | 3,895,000 | 243,790 | 4,138,790 |
| 2059-60 | 4,010,000 | 123,668 | 4,133,668 |
| **TOTAL** [3] | **$2,995,071,283** | **$1,055,203,666** | **$4,050,274,950** |

[1] This table includes the City's General Obligation Bonds shown in Table A-33 and does not include any overlapping debt, such as any assessment district indebtedness or any redevelopment agency indebtedness.

[2] Totals reflect rounding to nearest dollar.

[3] Totals do not reflect the Series 2021-R2 bonds, which refunded the 2011-R1 Bonds and were issued as a forward delivery that closed on September 16, 2021.

[4] Section 9.106 of the City Charter limits issuance of general obligation bonds of the City to 3% of the assessed value of all real and personal assessment district indebtedness or any redevelopment agency indebtedness.

Source: Office of Public Finance, City and County of San Francisco.

**Authorized but Unissued City GO Bonds**

Certain GO bonds authorized by the City's voters as discussed below have not yet been issued. Such bonds may be issued at any time by action of the Board of Supervisors, without further approval by the voters.

In November 1992, voters approved Proposition A ("1992 Proposition A") which authorized the issuance of up to $350.0 million in GO bonds to support San Francisco's Seismic Safety Loan Program ("SSLP"), which provides loans for the seismic strengthening of privately-owned unreinforced masonry affordable housing, market-rate residential, commercial and institutional buildings. Between 1994 and 2015, the City issued $89.3 million of bonds under the original 1992 Proposition A authorization. In November 2016, voters approved Proposition C ("2016 Proposition C"), which amended the 1992 Proposition A authorization (together, the " 1992A/2016A Propositions") to broaden the scope of the remaining $260.7 million authorization by adding the eligibility to finance the acquisition, improvement, and rehabilitation to convert at-risk multi-unit residential buildings to affordable housing, as well as the needed seismic, fire, health, and safety upgrades and other major rehabilitation for habitability, and related costs. In 2019 and 2020, the City issued $175.0 million of bonds across two series under the 1992A/2016A Propositions. Currently $85.7 million remains authorized and unissued.

In November 2018, voters approved Proposition A ("2018 Embarcadero Seawall Improvement Proposition"), authorizing the issuance of up to $425.0 million in general obligation bonds for repair and improvement projects along the City's Embarcadero and Seawall to protect the waterfront, BART and Muni, buildings, historic piers, and roads from earthquakes, flooding, and sea level rise. On June 2, 2020, the City closed the first series of bonds in the par amount of $49.7 million, leaving $375.3 million authorized and unissued.

In November 2019, voters approved Proposition A ("2019 Affordable Housing Proposition"), which authorized the issuance of up to $600.0 million in general obligation bonds to finance the construction, development, acquisition, and preservation of affordable housing for certain vulnerable San Francisco residents; to assist in the acquisition, rehabilitation, and preservation of existing affordable housing to prevent the displacement of residents; to repair and reconstruct distressed and dilapidated public housing developments and their underlying infrastructure; to assist the City's middle-income residents or workers in obtaining affordable rental or home ownership opportunities including down payment assistance and support for new construction of affordable housing for SFUSD and City College of San Francisco employees; and to pay related costs. On March 30, 2021, the City closed the first series of bonds in the par amount of $254.6 million, leaving $345.4 million authorized and unissued.

In March 2020, voters approved Proposition B ("2020 Earthquake Safety and Emergency Response Proposition") which authorized the issuance of up to $628.5 million in general obligation bonds to aid fire, earthquake and emergency response by improving, constructing, and/or replacing: deteriorating cisterns, pipes, and tunnels, and related facilities to ensure firefighters a reliable water supply for fires and disasters; neighborhood fire and police stations and supporting facilities; the City's 911 Call Center; and other disaster response and public safety facilities, and to pay related costs. In 2021, the City closed the first four series of bonds with a total par amount of $167.8 million, leaving $460.7 million authorized and unissued.

In November 2020, voters approved Proposition A ("2020 Health and Recovery Bond"), which authorized the issuance of up to $487.5 million in general obligation bonds to fund permanent investments in transitional supportive housing facilities, shelters, and/or facilities that serve individuals experiencing homelessness, mental health challenges, or substance use; improve the safety and quality of parks; and improve the safety and condition of streets and other public rights of way. In 2021, the City closed the first two series of bonds in an aggregate par amount of $258.5 million, leaving approximately $229 million authorized and unissued.

**Refunding General Obligation Bonds**

The Board of Supervisors adopted and the Mayor approved Resolution No. 272-04 in May of 2004 ("2004 Resolution"). The 2004 Resolution authorized the issuance of $800.0 million general obligation refunding bonds from time to time in one or more series for the purpose of refunding all or a portion of the City's outstanding General Obligation Bonds. In November of 2011, the Board of Supervisors adopted and the Mayor approved, Resolution No. 448-11 ("2011 Resolution," and together with the 2004 Resolution, the "Refunding Resolutions"). The 2011 Resolution authorized the issuance of approximately $1.4 billion general obligation refunding bonds from time to time in one or more series for the purpose of refunding certain outstanding General Obligation Bonds of the City. In March of 2020, the Board of Supervisors adopted and the Mayor approved, Resolution No. 097-20 ("2020 Resolution," and together with the 2004 Resolution and 2011 Resolution, the "Refunding Resolutions"). The 2020 Resolution authorized the issuance of approximately $1.5 billion general obligation refunding bonds from time to time in one or more series for the purpose of refunding certain outstanding General Obligation Bonds of the City. The refunding bonds currently outstanding, under the Refunding Resolutions, are shown in Table A-29 below.

*TABLE A-29*

**CITY AND COUNTY OF SAN FRANCISCO**
**General Obligation Refunding Bonds**
**As of September 1, 2021**

| Series Name | Date Issued | Principal Amount Issued | Amount Outstanding |
|---|---|---|---|
| 2011-R1 | November 2011 | $339,475,000 | $94,125,000 [1] [4] |
| 2015-R1 | February 2015 | 293,910,000 | 208,800,000 [2] |
| 2020-R1 | May 2020 | 195,250,000 | 181,945,000 [3] |
| 2021-R1 | May 2021 | 91,230,000 | 91,230,000 |
| 2021-R2 [4] | September 2021 | 86,905,000 | - |

[1] Series 2004-R1 Bonds were refunded by the 2011-R1 Bonds in November 2011

[2] Series 2006-R1, 2006-R2, and 2008-R3 Bonds were refunded by the 2015-R1 Bonds in February 2015.

[3] Series 2008-R1 Bonds were refunded by the 2020-R1 Bonds in May 2020.

[4] Series 2011-R1 Bonds were refunded by the 2021-R2 Bonds in September 2021. The City issued the Series 2021-R2 Bonds as a forward delivery, pricing on April 27, 2021 and closing on September 16, 2021.

Table A-30 on the following page lists for each of the City's voter-authorized general obligation bond programs the amount issued and outstanding, and the amount of remaining authorization for which bonds have not yet been issued. Series are grouped by program authorization in chronological order. The authorized and unissued column refers to total program authorization that can still be issued and does not refer to any particular series. As of September 1, 2021, the City had authorized and unissued general obligation bond authority of approximately $1.5 billion.

*TABLE A-30*

**CITY AND COUNTY OF SAN FRANCISCO**
**General Obligation Bonds**
**As of September 1, 2021**[1]

| Bond Authorization Name | Election Date | Authorized Amount | Series | Bonds Issued | Bonds Outstanding | Authorized & Unissued |
|---|---|---|---|---|---|---|
| Seismic Safety Loan Program | 11/3/92 | $350,000,000 | 1994A | $35,000,000 | - | |
| | | | 2007A | $30,315,450 | $15,571,283 | [2] |
| | | | 2015A | $24,000,000 | - | |
| *Reauthorization to Repurpose for Affordable Housing* | 11/8/16 | | 2019A | $72,420,000 | $70,605,000 | |
| | | | 2020C | $102,580,000 | $96,895,000 | $85,684,550 |
| Clean & Safe Neighborhood Parks | 2/5/08 | $185,000,000 | 2008B | $42,520,000 | - | |
| | | | 2010B | $24,785,000 | - | |
| | | | 2010D | $35,645,000 | $30,090,000 | |
| | | | 2012B | $73,355,000 | - | |
| | | | 2016A | $8,695,000 | $6,500,000 | - |
| San Francisco General Hospital & Trauma Center | 11/4/08 | $887,400,000 | 2009A | $131,650,000 | - | |
| Earthquake Safety | | | 2010A | $120,890,000 | - | |
| | | | 2010C | $173,805,000 | $146,725,000 | |
| | | | 2012D | $251,100,000 | $130,435,000 | |
| | | | 2014A | $209,955,000 | $137,480,000 | - |
| Earthquake Safety and Emergency Response Bond | 6/8/10 | $412,300,000 | 2010E | $79,520,000 | - | |
| | | | 2012A | $183,330,000 | - | |
| | | | 2012E | $38,265,000 | $25,050,000 | |
| | | | 2013B | $31,020,000 | - | |
| | | | 2014C | $54,950,000 | $36,160,000 | |
| | | | 2016C | $25,215,000 | $19,415,000 | - |
| Road Repaving & Street Safety | 11/8/11 | $248,000,000 | 2012C | $74,295,000 | - | |
| | | | 2013C | $129,560,000 | - | |
| | | | 2016E | $44,145,000 | $33,990,000 | - |
| Clean & Safe Neighborhood Parks | 11/6/12 | $195,000,000 | 2013A | $71,970,000 | - | |
| | | | 2016B | $43,220,000 | $21,100,000 | |
| | | | 2018A | $76,710,000 | $41,345,000 | |
| | | | 2019B | $3,100,000 | - | - |
| Earthquake Safety and Emergency Response Bond | 6/3/14 | $400,000,000 | 2014D | $100,670,000 | $66,230,000 | |
| | | | 2016D | $109,595,000 | $65,500,000 | |
| | | | 2018C | $189,735,000 | $127,615,000 | - |
| Transportation and Road Improvement | 11/4/14 | $500,000,000 | 2015B | $67,005,000 | $38,005,000 | |
| | | | 2018B | $174,445,000 | $94,030,000 | |
| | | | 2020B | $135,765,000 | $113,265,000 | |
| | | | 2021C-1 | $104,785,000 | $104,785,000 | |
| | | | 2021C-2 | $18,000,000 | $18,000,000 | - |
| Affordable Housing Bond | 11/3/15 | $310,000,000 | 2016F | $75,130,000 | $43,730,000 | |
| | | | 2018D | $142,145,000 | $94,120,000 | |
| | | | 2019C | $92,725,000 | $24,120,000 | - |
| Public Health and Safety Bond | 6/7/16 | $350,000,000 | 2017A | $173,120,000 | $107,185,000 | |
| | | | 2018E | $49,955,000 | $33,900,000 | |
| | | | 2020D-1 | $111,925,000 | $81,925,000 | |
| | | | 2020D-2 | $15,000,000 | - | - |
| Embarcadero Seawall Earthquake Safety | 11/6/18 | $425,000,000 | 2020A | $49,675,000 | - | $375,325,000 |
| Affordable Housing Bond | 11/5/19 | $600,000,000 | 2021A | $254,585,000 | $180,390,000 | $345,415,000 |
| Earthquake Safety and Emergency Response Bond | 3/3/20 | $628,500,000 | 2021B-1 | $69,215,000 | $69,215,000 | |
| | | | 2021B-2 | $11,500,000 | - | |
| | | | 2021E-1 | $74,090,000 | $74,090,000 | |
| | | | 2021E-2 | $13,000,000 | $13,000,000 | $460,695,000 |
| Health and Recovery Bond | 11/4/20 | $487,500,000 | 2021D-1 | $194,255,000 | $194,255,000 | |
| | | | 2021D-2 | $64,250,000 | $64,250,000 | $228,995,000 |
| SUBTOTAL | | $5,978,700,000 | | $4,482,585,450 | $2,418,971,283 | $1,496,114,550 |

| General Obligation Refunding Bonds | Dated Issued | Bonds Issued | Bonds Outstanding | |
|---|---|---|---|---|
| Series 2011-R1 [3] | 11/9/12 | $339,475,000 | $94,125,000 | |
| Series 2015-R1 | 2/25/15 | $293,910,000 | $208,800,000 | |
| Series 2020-R1 | 5/7/20 | $195,250,000 | $181,945,000 | |
| Series 2021-R1 | 5/6/21 | $91,230,000 | $91,230,000 | |
| SUBTOTAL | | $919,865,000 | $576,100,000 | |
| **TOTALS** | | **$5,978,700,000** | **$5,402,450,450** | **$2,995,071,283** | **$1,496,114,550** |

[1] Section 9.106 of the City Charter limits issuance of general obligation bonds of the City to 3% of the assessed value of all taxable real and personal property, located within the City and County.

[2] Of the $35,000,000 authorized by the Board of Supervisors in February 2007, $30,315,450 has been drawn upon to date pursuant to the Credit Agreement described under "General Obligation Bonds ."

[3] Series 2011-R1 Bonds were refunded by the 2021-R2 Bonds in September 2021. The City issued the Series 2021-R2 Bonds as a forward delivery, pricing on April 27, 2021 and closing on September 16, 2021.

Source: Office of Public Finance, City and County of San Francisco.

**General Fund Lease Obligations**

The Charter requires that any lease-financing agreements with a nonprofit corporation or another public agency must be approved by a majority vote of the City's electorate, except (i) leases approved prior to April 1, 1977, (ii) refunding lease financings expected to result in net savings, and (iii) certain lease financing for capital equipment. The Charter does not require voter approval of lease financing agreements with for-profit corporations or entities.

Table A-31 sets forth the aggregate annual lease payment obligations supported by the City's General Fund with respect to outstanding long-term lease revenue bonds and certificates of participation as of September 1, 2021.

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*TABLE A-31*

**CITY AND COUNTY OF SAN FRANCISCO**
**Lease Revenue Bonds and Certificates of Participation**
**As of September 1, 2021[1]**

| Fiscal Year[2] | Principal | Interest [3] | Annual Payment Obligation |
|---|---|---|---|
| 2021-22 [4] | $51,635,000 | $62,764,086 | $114,399,086 |
| 2022-23 | 64,495,000 | 62,883,794 | 127,378,794 |
| 2023-24 | 67,610,000 | 59,842,818 | 127,452,818 |
| 2024-25 | 69,050,000 | 56,626,537 | 125,676,537 |
| 2025-26 | 70,595,000 | 53,385,116 | 123,980,116 |
| 2026-27 | 73,950,000 | 49,994,327 | 123,944,327 |
| 2027-28 | 69,060,000 | 46,627,707 | 115,687,707 |
| 2028-29 | 74,220,000 | 43,291,810 | 117,511,810 |
| 2029-30 | 74,995,000 | 39,990,713 | 114,985,713 |
| 2030-31 | 70,485,000 | 36,975,914 | 107,460,914 |
| 2031-32 | 63,590,000 | 34,282,816 | 97,872,816 |
| 2032-33 | 64,685,000 | 31,871,841 | 96,556,841 |
| 2033-34 | 67,135,000 | 29,260,160 | 96,395,160 |
| 2034-35 | 60,275,000 | 26,761,447 | 87,036,447 |
| 2035-36 | 60,515,000 | 24,174,243 | 84,689,243 |
| 2036-37 | 60,190,000 | 21,538,229 | 81,728,229 |
| 2037-38 | 62,625,000 | 18,910,664 | 81,535,664 |
| 2038-39 | 65,160,000 | 16,175,156 | 81,335,156 |
| 2039-40 | 67,805,000 | 13,324,472 | 81,129,472 |
| 2040-41 | 70,555,000 | 10,357,468 | 80,912,468 |
| 2041-42 | 56,000,000 | 7,430,811 | 63,430,811 |
| 2042-43 | 20,990,000 | 5,247,200 | 26,237,200 |
| 2043-44 | 19,855,000 | 4,388,600 | 24,243,600 |
| 2044-45 | 20,650,000 | 3,594,400 | 24,244,400 |
| 2045-46 | 13,695,000 | 2,768,400 | 16,463,400 |
| 2046-47 | 14,245,000 | 2,220,600 | 16,465,600 |
| 2047-48 | 13,220,000 | 1,650,800 | 14,870,800 |
| 2048-49 | 13,750,000 | 1,122,000 | 14,872,000 |
| 2049-50 | 14,300,000 | 572,000 | 14,872,000 |
| **TOTAL [5]** | **$1,515,335,000** | **$768,034,130** | **$2,283,369,130** |

[1] Excludes the 833 Bryant lease, commercial paper and the following privately placed lease purchase financings (with current outstanding amounts):

SFGH Emergency Backup Generators Project ($9,197,552)

Gsmart Citywide Emergency Radio Replacement Project ($19,500,828)

[2] For LRBs Series 2018A (Refunding Open Space), 7/1 payments reflect be paid in the current fiscal year, as budgeted.

[3] Totals reflect rounding to nearest dollar.

[4] Excludes payments made to date in current fiscal year.

[5] For purposes of this table, the interest rate on the Lease Revenue Bonds Series 2008-1, and 2008-2 (Moscone Center Expansion Project) is assumed to be 3.50%. These bonds are in variable rate mode.

Source: Office of Public Finance, City and County of San Francisco.

**Voter-Approved Lease Revenue Bonds**

The City electorate has approved several lease revenue bond propositions, some of which have authorized but unissued bonds. The following lease programs have remaining authorization:

In 1987, voters approved Proposition B, which authorizes the City to lease finance (without limitation as to maximum aggregate par amount) the construction of new parking facilities, including garages and surface lots, in eight of the City's neighborhoods. In July 2000, the City issued $8.2 million in lease revenue bonds to finance the construction of the North Beach Parking Garage, which was opened in February 2002.

In 1990, voters approved Proposition C ("1990 Proposition C"), which amended the Charter to authorize the City to lease- purchase equipment through a nonprofit corporation without additional voter approval but with certain restrictions. The City and County of San Francisco Finance Corporation (the "Corporation") was incorporated for that purpose. 1990 Proposition C provides that the outstanding aggregate principal amount of obligations with respect to lease financings may not exceed $20.0 million, with such amount increasing by five percent each fiscal year. As of July 1, 2021, the total authorized and unissued amount for such financings was $86.4 million.

In 1994, voters approved Proposition B ("1994 Proposition B"), which authorized the issuance of up to $60.0 million in lease revenue bonds for the acquisition and construction of a combined dispatch center for the City's emergency 911 communication system and for the emergency information and communications equipment for the center. In 1997 and 1998, the Corporation issued $22.6 million and $23.3 million of 1994 Proposition B lease revenue bonds, respectively, leaving $14.1 million in remaining authorization. There is no current plan to issue additional series of bonds under 1994 Proposition B.

In 2000, voters approved Proposition C ("2000 Proposition C"), which extended a two- and one-half cent per $100.0 in assessed valuation property tax set-aside for the benefit of the Recreation and Park Department (the "Open Space Fund"). 2000 Proposition C also authorized the issuance of lease revenue bonds or other forms of indebtedness payable from the Open Space Fund. In August 2018 the City issued refunding lease revenue bonds to refund Series 2006 and 2007 Open Space Fund lease revenue bonds.

In 2007, voters approved Proposition D, which amended the Charter and renewed the Library Preservation Fund. Proposition D continued the two- and one-half cent per $100.0 in assessed valuation property tax set-aside and established a minimum level of City appropriations, moneys that are maintained in the Library Preservation Fund. Proposition D also authorized the issuance of revenue bonds or other evidences of indebtedness. In August 2018 the City issued refunding lease revenue bonds to refund Series 2009A Branch Library Improvement Project lease revenue bonds.

Table A-32 below lists the City's outstanding certificates of participation and voter-authorized lease revenue bonds.

*TABLE A-32**

**CITY AND COUNTY OF SAN FRANCISCO**
**Outstanding Certificates of Participation and Lease Revenue Bonds**
**As of September 1, 2021**

| Issue Name | Final Maturity | Original Par | Outstanding Principal |
|---|---|---|---|
| **CERTIFICATES OF PARTICIPATION** | | | |
| Series 2009C (525 Golden Gate Avenue) | 2022 | $38,120,000 | $8,535,000 |
| Series 2009D - Taxable BABs (525 Golden Gate Avenue) | 2041 | 129,550,000 | 129,550,000 |
| Refunding Series 2011A (Moscone Center South) | 2024 | 23,105,000 | 7,040,000 |
| Series 2012A (Multiple Capital Improvement Projects) | 2036 | 42,835,000 | 31,055,000 |
| Series 2013B - Non-AMT (Port Facilities Project) | 2038 | 4,830,000 | 4,830,000 |
| Series 2013C - AMT (Port Facilities Project) | 2043 | 32,870,000 | 22,685,000 |
| Refunding Series 2014-R2 (Juevenile Hall Project) | 2034 | 33,605,000 | 24,560,000 |
| Series 2015A (War Memorial Veterans Building) | 2045 | 112,100,000 | 112,100,000 |
| Series 2015B - Taxable (War Memorial Veterans Building) | 2024 | 22,225,000 | 5,185,000 |
| Refunding Series 2015-R1 (City Office Buildings - Multiple Properties) | 2040 | 123,600,000 | 105,330,000 |
| Series 2016A (War Memorial Veterans Building) | 2032 | 16,125,000 | 11,630,000 |
| Series 2017A - Taxable (Hope SF) | 2047 | 28,320,000 | 25,850,000 |
| Series 2017B (Moscone Convention Center Expansion Project) | 2042 | 412,355,000 | 381,445,000 |
| Series 2019A (49 South Van Ness Project) | 2050 | 247,810,000 | 245,700,000 |
| Refunding Series 2019-R1 (Multiple Capital Improvement Projects) | 2035 | 116,460,000 | 99,985,000 |
| Refunding Series 2020-R1 (Multiple Capital Improvement Projects) | 2033 | 70,640,000 | 70,640,000 |
| Series 2020 (Animal Care & Control Project) | 2041 | 47,075,000 | 47,075,000 |
| Series 2021A (Multiple Capital Improvement Projects) | 2041 | 76,020,000 | 76,020,000 |
| **Subtotal Certificates of Participation** | | **$1,577,645,000** | **$1,409,215,000** |
| **LEASE PURCHASE FINANCING** | | | |
| 2010 Lease Purchase Financing (SFGH Emergency Backup Generators) | 2025 | $22,549,489 | $9,197,552 |
| 2016 Lease Purchase Financing (Public Safety Radio Replacement Project) | 2026 | 34,184,136 | 19,500,828 |
| **Subtotal Lease Revenue Bonds** | | **$56,733,625** | **$28,698,380** |
| **FINANCE CORPORATION LEASE REVENUE BONDS** | | | |
| Refunding Series 2008-1 (Moscone Center Expansion Project) - Variable | 2030 | $72,670,000 | $32,700,000 |
| Refunding Series 2008-2 (Moscone Center Expansion Project) - Variable | 2030 | 72,670,000 | 32,700,000 |
| Refunding Series 2010-R1 (Emergency Communications System) | 2024 | 22,280,000 | 4,750,000 |
| Refunding Series 2018A (Open Space Fund - Various Park Projects) | 2029 | 34,950,000 | 26,080,000 |
| Refunding Series 2018B (Branch Library Improvement Program) | 2028 | 13,355,000 | 9,890,000 |
| **Subtotal Lease Revenue Bonds** | | **$215,925,000** | **$106,120,000** |
| **Total General Fund Obligations** | | **$1,850,303,625** | **$1,544,033,380** |

*Excludes California HFA Revenue Bonds (San Francisco Supportive Housing - 833 Bryant Apartments) ($26,985,000)

**Board Authorized and Unissued Long-Term Certificates of Participation**

*Treasure Island Improvement Project:* In October of 2013, the Board authorized, and the Mayor approved the issuance of not to exceed $13.5 million of City and County of San Francisco Certificates of Participation to finance the cost of additions and improvements to the utility infrastructure at Treasure Island. At this time there is not an expected timeline for the issuance of these certificates, but commercial paper is anticipated to be issued to finance the projects in fiscal year 2021-22.

*Housing Trust Fund Project:* In April 2016, the Board authorized and the Mayor approved the issuance of not to exceed $95.0 million of City and County of San Francisco Certificates of Participation (Affordable Housing Projects) to provide funds to assist in the development, acquisition, construction or rehabilitation of affordable rental housing projects. The City anticipates issuing the certificates in multiple series, with the first issuance in fiscal year 2021-22.

*Hall of Justice Relocation Projects*: In October 2019, the Board authorized and the Mayor approved the issuance of not to exceed $62.0 million of City and County of San Francisco Certificates of Participation (Multiple Capital Projects) to finance or refinance tenant improvements involving the construction, acquisition, improvement, renovation, and retrofitting of City-owned properties as needed for the Hall of Justice Improvement Project enabling staff and offices to be consolidated in acquired City-owned properties. The City issued $3.81 million of the certificates in May 2021 and expects to issue the remainder in fiscal year 2021-22.

*HOPE SF Project*: In December 2019, the Board authorized and the Mayor approved the issuance of not to exceed $83.6 million of City and County of San Francisco Certificates of Participation to finance or refinance certain capital improvements, including but not limited to certain properties generally known as Hunters View, Sunnydale, and Potrero Terrace and Annex housing developments. The City anticipates issuing the certificates in fiscal year 2022-23.

*Department of Public Health Facilities Improvements*: In November 2020, the Board authorized and the Mayor approved the issuance of not to exceed $157.0 million of City and County of San Francisco Certificates of Participation to finance projects for the Department of Public Health, including but not limited to certain projects generally known as the Homeless Services Center, Laguna Honda Hospital Wings Reuse Project, AITC Immunization and Travel Clinic Relocation, and San Francisco General Hospital Chiller and Cooling Tower Replacement Project. The City anticipates issuing the certificates in fiscal year 2022-23.

*Critical Repairs*: In July 2021, the Board authorized and the Mayor approved the issuance of not to exceed $67.5 million of City and County of San Francisco Certificates of Participation, to finance and refinance certain capital improvements generally consisting of critical repairs, renovations and improvements to City-owned buildings, facilities and works utilized by various City departments and local economic stimulus projects. The City anticipates issuing the certificates in fiscal year 2022-23.

**Commercial Paper Program**

In March 2009, the Board authorized and the Mayor approved a not-to-exceed $150.0 million Lease Revenue Commercial Paper Certificates of Participation Program, Series 1 and 1-T and Series 2 and 2-T (the "Original CP Program"). In July of 2013, the Board authorized, and the Mayor approved an additional $100.0 million of Lease Revenue Commercial Paper Certificates of Participation, Series 3 and 3-T and Series 4 and 4-T (the "Second CP Program" and together with the Original CP Program, the "City CP Program") that increased the total authorization of the City CP Program to $250.0 million. Commercial Paper Notes (the "CP Notes") are issued from time to time to pay approved project costs in connection with the acquisition, improvement, renovation and construction of real property and the acquisition of capital equipment and vehicles in anticipation of long-term or other take-out financing to be issued when market conditions are favorable. Projects are eligible to access the CP Program once the Board and the Mayor have approved the project and the long-term, permanent financing for the project.

The Series 1 and 1-T and Series 2 and 2-T CP notes are secured by credit facilities from: (i) State Street Bank and Trust Company (with a maximum principal amount of $75 million) and (ii) U.S. Bank National Association (with a maximum principal amount of $75 million). These credit facilities were extended with the same banks in May 2021 until May 2023. The Series 3 and 3-T and 4 and 4-T are secured by a $100 million letter of credit issued by State Street Bank and Trust Company expiring in February 2022.

As of September 1, 2021, the outstanding principal amount of CP Notes is $26.7 million. The weighted average interest rate for the outstanding CP Notes is approximately 0.08%. The projects with Board Authorized and Unissued Certificates of Participation currently utilizing the CP Program includes the Housing Trust Fund. Also utilizing the CP Program is the San Francisco General Hospital and Trauma Project which is financing the costs of the acquisition of furniture, fixtures and equipment ("SFGH FF&E"). The following is a summary of the outstanding liability by project associated with the CP Notes outstanding.

| Project | CP Notes Liability as of 9/1/2021 |
|---|---|
| Housing Trust Fund | $18,760,000 |
| SFGH FF&E | $7,955,945 |
| Department of Public Health Facilities | $1,030,055 |
| **TOTAL** | **$27,746,000** |

**Overlapping Debt**

Table A-33 shows bonded debt and long-term obligations as of September 1, 2021 sold in the public capital markets, except for those financings otherwise noted in the table, by the City and those public agencies whose boundaries overlap the boundaries of the City in whole or in part. Long-term obligations of non-City agencies generally are not payable from revenues of the City. In many cases, long-term obligations issued by a public agency are payable only from the General Fund or other revenues of such public agency. In the table, lease obligations of the City which support indebtedness incurred by others are included. As noted below, the Charter limits the City's outstanding general obligation bond debt to 3% of the total assessed valuation of all taxable real and personal property within the City.

*TABLE A-33*

**CITY AND COUNTY OF SAN FRANCISCO**
**Statement of Direct and Overlapping Debt and Long-Term Obligations**
**As of September 1, 2021**

| | |
|---|---|
| 2021-22 Assessed Valuation (includes unitary utility valuation): | $312,594,683,687 [1] |
| **GENERAL OBLIGATION BONDED DEBT** | |
| San Francisco City and County | $2,995,071,283 [2] |
| San Francisco Unified School District | 969,800,000 |
| San Francisco Community College District | 474,030,000 |
| **TOTAL GENERAL OBLIGATION BONDED DEBT** | $4,438,901,283 |
| **LEASE OBLIGATIONS BONDS** | |
| San Francisco City and County | $1,534,835,828 |
| **TOTAL LEASE OBLIGATION BONDED DEBT** | $1,534,835,828 [3] |
| **TOTAL COMBINED DIRECT DEBT** | $5,973,737,111 |
| **OVERLAPPING TAX AND ASSESSMENT DEBT** | |
| Bay Area Rapid Transit District General Obligation Bond (34.606%)[2] | $634,955,760 [4] |
| San Francisco Community Facilities District No. 4 | 6,250,000 |
| San Francisco Community Facilities District No. 6 | 115,847,406 |
| San Francisco Community Facilities District No. 7 | 31,800,000 |
| San Francisco Community Facilities District No. 2009-1, Improvement Areas 1 and 2 | 2,466,540 |
| San Francisco Community Facilities District No. 2014-1 Transbay Transit Center | 468,745,000 |
| San Francisco Community Facilities District No. 2016-1 Treasure Island, Improvement Area No. 1 | 58,275,000 |
| San Francisco Special Tax District No. 2020-1 Mission Rock Facilities | 41,950,000 |
| City of San Francisco Assessment District No. 95-1 | 360,000 |
| ABAG Community Facilities District No. 2004-1 Seismic Safety Improvements | 8,870,000 |
| ABAG Community Facilities District No. 2006-1 San Francisco Rincon Hill | 4,820,000 |
| ABAG Community Facilities District No. 2006-2 San Francisco Mint Plaza | 2,765,000 |
| **TOTAL OVERLAPPING TAX AND ASSESSMENT DEBT** | $1,377,104,706 |
| **OVERLAPPING TAX INCREMENT DEBT:** | |
| Successor Agency to the San Francisco Redevelopment Agency | $678,834,563 |
| Transbay Joint Powers Authority | 264,585,000 |
| **TOTAL OVERLAPPING INCREMENT DEBT** | $943,419,563 |
| **TOTAL DIRECT AND OVERLAPPING BONDED DEBT** | $8,294,261,380 [5] |

| **Ratios to 2021-22 Assessed Valuation ($312,594,683,687)** | **Actual Ratio** |
|---|---|
| Direct General Obligation Bonded Debt ($4,438,901,283) | 1.42% [6] |
| Combined Direct Debt ($5,973,737,111) | 1.91% |
| Total Direct and Overlapping Bonded Debt | 2.65% |
| **Ratio to 2020-21 Redevelopment Incremental Valuation ($37,591,667,028)** | |
| Total Overlapping Tax Increment Debt | 2.51% |

[1] Includes $596,875,972 homeowner's exemption for FY21-22.

[2] Does not reflect the Series 2021-R2 bonds, which refunded the 2011-R1 Bonds and were issued as a forward delivery that closed on September 16, 2021.

[3] Excludes 833 Bryant lease and privately placed SFGH Emergency Backup Generators Project, outstanding in the principal amount of $9,197,552 as of 9/1/21.

[4] Reflects 2020-21 ratio.

[5] Excludes tax and revenue anticipation notes, enterprise revenue bonds and airport improvement corporation bonds, as well as issue to be sold

[6] The Charter limits the City's outstanding general obligation bond debt to 3% of the total assessed valuation of all taxable real and personal property within the City. The City's general obligation debt as a percentage of FY21-22 AV is 0.96%.

Source: California Municipal Statistics Inc., Office of Public Finance, City and County of San Francisco

## CONSTITUTIONAL AND STATUTORY LIMITATIONS ON TAXES AND EXPENDITURES

Several constitutional and statutory limitations on taxes, revenues and expenditures exist under State law which limit the ability of the City to impose and increase taxes and other revenue sources and to spend such revenues, and which, under certain circumstances, would permit existing revenue sources of the City to be reduced by vote of the City electorate. These constitutional and statutory limitations, and future limitations, if enacted, could potentially have an adverse impact on the City's general finances and its ability to raise revenue, or maintain existing revenue sources, in the future. However, *ad valorem* property taxes required to be levied to pay debt service on general obligation bonds was authorized and approved in accordance with all applicable constitutional limitations. A summary of the currently effective limitations is set forth below.

### Article XIIIA of the California Constitution

Article XIIIA of the California Constitution, known as "Proposition 13," was approved by the California voters in June of 1978. It limits the amount of *ad valorem* tax on real property to 1% of "full cash value," as determined by the county assessor. Article XIIIA defines "full cash value" to mean the county assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value," or thereafter, the appraised value of real property when "purchased, newly constructed or a change in ownership has occurred" (as such terms are used in Article XIIIA) after the 1975 assessment. Furthermore, all real property valuation may be increased or decreased to reflect the inflation rate, as shown by the CPI or comparable data, in an amount not to exceed 2% per year, or may be reduced in the event of declining property values caused by damage, destruction or other factors. Article XIIIA provides that the 1% limitation does not apply to *ad valorem* taxes to pay interest or redemption charges on 1) indebtedness approved by the voters prior to July 1, 1978, 2) any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition, or 3) bonded indebtedness incurred by a school district or community college district for the construction, reconstruction, rehabilitation or replacement of school facilities or the acquisition or lease of real property for school facilities, approved by 55% of the voters of the district voting on the proposition, but only if certain accountability measures are included in the proposition.

The California Revenue and Taxation Code permits county assessors who have reduced the assessed valuation of a property as a result of natural disasters, economic downturns or other factors, to subsequently "recapture" such value (up to the pre-decline value of the property) at an annual rate higher or lower than 2%, depending on the assessor's measure of the restoration of value of the damaged property. The California courts have upheld the constitutionality of this procedure.

Since its adoption, Article XIIIA has been amended a number of times. These amendments have created a number of exceptions to the requirement that property be assessed when purchased, newly constructed or a change in ownership has occurred. These exceptions include certain transfers of real property between family members, certain purchases of replacement dwellings for persons over age 55 and by property owners whose original property has been destroyed in a declared disaster, and certain improvements to accommodate persons with disabilities and for seismic upgrades to property. These amendments have resulted in marginal reductions in the property tax revenues of the City. Both the California State Supreme Court and the United States Supreme Court have upheld the validity of Article XIII.

**Article XIIIB of the California Constitution**

Article XIIIB was enacted by California voters as an initiative constitutional amendment in November 1979. Article XIIIB limits the annual appropriations from the proceeds of taxes of the State and any city, county, school district, authority or other political subdivision of the State to the level of appropriations for the prior fiscal year, as adjusted for changes in the cost of living, population, and services rendered by the governmental entity. However, no limit is imposed on the appropriation of local revenues and taxes to pay debt service on bonds existing or authorized by January 1, 1979, or subsequently authorized by the voters. Article XIIIB includes a requirement that if an entity's average revenues over two consecutive years exceed the amount permitted to be spent, the excess would have to be returned by revising tax or fee schedules over the following two years. With voter approval, the appropriations limit can be raised for up to four years.

**Articles XIIIC and XIIID of the California Constitution**

Proposition 218, an initiative constitutional amendment, approved by the voters of the State in 1996, added Articles XII C and XIIID to the State Constitution, which affect the ability of local governments, including charter cities such as the City, to levy and collect both existing and future taxes, assessments, fees and charges. Proposition 218 does not affect the levy and collection of taxes for voter-approved debt. However, Proposition 218 affects the City's finances in other ways. Article XIIIC requires that all new local taxes be submitted to the electorate for approval before such taxes become effective. Taxes for general governmental purposes of the City require a majority vote and taxes for specific purposes require a two-thirds vote. Under Proposition 218, the City can only continue to collect taxes that were imposed after January 1, 1995 if voters subsequently approved such taxes by November 6, 1998. All of the City's local taxes subject to such approval have been either reauthorized in accordance with Proposition 218 or discontinued. The voter approval requirements of Article XIII C reduce the City's flexibility to manage fiscal problems through new, extended or increased taxes. No assurance can be given that the City will be able to raise taxes in the future to meet increased expenditure requirements.

In addition, Article XIIIC addresses the initiative power in matters of local taxes, assessments, fees and charges. Pursuant to Article XIIIC, the voters of the City could, by initiative, repeal, reduce or limit any existing or future local tax, assessment, fee or charge, subject to certain limitations imposed by the courts and additional limitations with respect to taxes levied to repay bonds. The City raises a substantial portion of its revenues from various local taxes which are not levied to repay bonded indebtedness, and which could be reduced by initiative under Article XIIIC. No assurance can be given that the voters of the City will disapprove initiatives that repeal, reduce or prohibit the imposition or increase of local taxes, assessments, fees or charges. See "OTHER CITY TAX REVENUES" herein, for a discussion of other City taxes that could be affected by Proposition 218.

With respect to the City's general obligation bonds (City bonds secured by *ad valorem* property taxes), the State Constitution and the laws of the State impose a duty on the Board of Supervisors to levy a property tax sufficient to pay debt service coming due in each year. The initiative power cannot be used to reduce or repeal the authority and obligation to levy such taxes which are pledged as security for payment of the City's general obligation bonds or to otherwise interfere with performance of the duty of the City with respect to such taxes which are pledged as security for payment of those bonds.

Article XIIID contains several provisions making it generally more difficult for local agencies, such as the City, to levy and maintain "assessments" (as defined in Article XIIID) for local services and programs. The City has created a number of special assessment districts both for neighborhood business improvement

purposes and community benefit purposes and has caused limited obligation bonds to be issued in 1996 to finance construction of a new public right of way. The City cannot predict the future impact of Proposition 218 on the finances of the City, and no assurance can be given that Proposition 218 will not have a material adverse impact on the City's revenues.

**Proposition 1A**

Proposition 1A, a constitutional amendment proposed by the State Legislature and approved by the voters in November 2004, provides that the State may not reduce any local sales tax rate, limit existing local government authority to levy a sales tax rate, or change the allocation of local sales tax revenues, subject to certain exceptions. As set forth under the laws in effect as of November 3, 2004, Proposition 1A generally prohibits the State from shifting any share of property tax revenues allocated to local governments for any fiscal year to schools or community colleges. Any change in the allocation of property tax revenues among local governments within a county must be approved by two-thirds of both houses of the Legislature. Proposition 1A provides, however, that beginning in fiscal year 2008-09, the State may shift to schools and community colleges up to 8% of local government property tax revenues, which amount must be repaid, with interest, within three years, if the Governor proclaims that the shift is needed due to a severe State financial hardship, the shift is approved by two-thirds of both houses and certain other conditions are met. The State may also approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county.

Proposition 1A also provides that if the State reduces the annual vehicle license fee rate below 0.65% of vehicle value, the State must provide local governments with equal replacement revenues. Further, Proposition 1A requires the State to suspend State mandates affecting cities, counties and special districts, excepting mandates relating to employee rights, schools or community colleges, in any year that the State does not fully reimburse local governments for their costs to comply with such mandates.

Proposition 1A may result in increased and more stable City revenues. The magnitude of such increase and stability is unknown and would depend on future actions by the State. However, Proposition 1A could also result in decreased resources being available for State programs. This reduction, in turn, could affect actions taken by the State to resolve budget difficulties. Such actions could include increasing State taxes, decreasing aid to cities and spending on other State programs, or other actions, some of which could be adverse to the City.

**Proposition 22**

Proposition 22 ("Proposition 22") which was approved by California voters in November 2010, prohibits the State, even during a period of severe fiscal hardship, from delaying the distribution of tax revenues for transportation, redevelopment, or local government projects and services and prohibits fuel tax revenues from being loaned for cash-flow or budget balancing purposes to the State General Fund or any other State fund. In addition, Proposition 22 generally eliminates the State's authority to temporarily shift property taxes from cities, counties, and special districts to schools, temporarily increase a school and community college district's share of property tax revenues, prohibits the State from borrowing or redirecting redevelopment property tax revenues or requiring increased pass-through payments thereof, and prohibits the State from reallocating vehicle license fee revenues to pay for State-imposed mandates. In addition, Proposition 22 requires a two-thirds vote of each house of the State Legislature and a public hearing process to be conducted in order to change the amount of fuel excise tax revenues shared with

cities and counties. Proposition 22 prohibits the State from enacting new laws that require redevelopment agencies to shift funds to schools or other agencies (but see "San Francisco Redevelopment Agency Dissolution" above). While Proposition 22 will not change overall State and local government costs or revenues by the express terms thereof, it will cause the State to adopt alternative actions to address its fiscal and policy objectives.

Due to the prohibition with respect to the State's ability to take, reallocate, and borrow money raised by local governments for local purposes, Proposition 22 supersedes certain provisions of Proposition 1A (2004). However, borrowings and reallocations from local governments during 2009 are not subject to Proposition 22 prohibitions. In addition, Proposition 22 supersedes Proposition 1A of 2006. Accordingly, the State is prohibited from borrowing sales taxes or excise taxes on motor vehicle fuels or changing the allocations of those taxes among local governments except pursuant to specified procedures involving public notices and hearings.

**Proposition 26**

On November 2, 2010, the voters approved Proposition 26 ("Proposition 26"), revising certain provisions of Articles XIII and XIII of the California Constitution. Proposition 26 re-categorizes many State and local fees as taxes, requires local governments to obtain two-thirds voter approval for taxes levied by local governments, and requires the State to obtain the approval of two-thirds of both houses of the State Legislature to approve State laws that increase taxes. Furthermore, pursuant to Proposition 26, any increase in a fee beyond the amount needed to provide the specific service or benefit is deemed to be a tax and the approval thereof will require a two-thirds vote. In addition, for State-imposed charges, any tax or fee adopted after January 1, 2010 with a majority vote which would have required a two-thirds vote if Proposition 26 were effective at the time of such adoption is repealed as of November 2011 absent the re-adoption by the requisite two-thirds vote.

Proposition 26 amends Article XIII of the State Constitution to state that a "tax" means a levy, charge or exaction of any kind imposed by a local government, except (1) a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege; (2) a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product; (3) a charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof; (4) a charge imposed for entrance to or use of local government property or the purchase rental or lease of local government property; (5) a fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government as a result of a violation of law, including late payment fees, fees imposed under administrative citation ordinances, parking violations, etc.; (6) a charge imposed as a condition of property development; or (7) assessments and property related fees imposed in accordance with the provisions of Proposition 218. Fees, charges and payments that are made pursuant to a voluntary contract that are not "imposed by a local government" are not considered taxes and are not covered by Proposition 26.

Proposition 26 applies to any levy, charge or exaction imposed, increased, or extended by local government on or after November 3, 2010. Accordingly, fees adopted prior to that date are not subject to the measure until they are increased or extended or if it is determined that an exemption applies.

If the local government specifies how the funds from a proposed local tax are to be used, the approval will be subject to a two-thirds voter requirement. If the local government does not specify how the funds from a proposed local tax are to be used, the approval will be subject to a fifty percent voter requirement. Proposed local government fees that are not subject to Proposition 26 are subject to the approval of a majority of the governing body. In general, proposed property charges will be subject to a majority vote of approval by the governing body although certain proposed property charges will also require approval by a majority of property owners.

**Future Initiatives and Changes in Law**

The laws and Constitutional provisions described above were each adopted as measures that qualified for the ballot pursuant to the State's initiative process. From time to time other initiative measures could be adopted, further affecting revenues of the City or the City's ability to expend revenues. The nature and impact of these measures cannot be anticipated by the City.

On April 25, 2013, the California Supreme Court in *McWilliams v. City of Long Beach* (April 25, 2013, No. S202037), held that the claims provisions of the Government Claims Act (Government Code Section 900 *et. seq*.) govern local tax and fee refund actions (absent another State statue governing the issue), and that local ordinances were without effect. The effect of the McWilliams case is that local governments could face class actions over disputes involving taxes and fees. Such cases could expose local governments to significant refund claims in the future. The City cannot predict whether any such class claims will be filed against it in the future, the outcome of any such claim or its impact on the City.

**LEGAL MATTERS AND RISK MANAGEMENT**

**Pending Litigation**

There are a number of lawsuits and claims routinely pending against the City. Included among these are a number of actions which if successful would be payable from the City's General Fund. In the opinion of the City Attorney, such suits and claims presently pending will not materially impair the ability of the City to pay debt service on its General Fund lease obligations or other debt obligations, nor have an adverse impact on City finances.

**Ongoing Investigations**

On January 28, 2020 the City's former Director of Public Works Mohammad Nuru was indicted on federal criminal charges of public corruption, including honest services wire fraud and lying to Federal Bureau of Investigation officials. The allegations contained in the complaint involve various schemes, including an attempt by Mr. Nuru and Mr. Nick Bovis, a local restaurateur who was also indicted by the federal government, to bribe an Airport Commissioner to influence the award of lease of space at the San Francisco International Airport, Mr. Nuru using his official position to benefit a developer of a mixed-use project in San Francisco in exchange for personal gifts and benefits; Mr. Nuru attempting to use his former position as the chair of the Transbay Joint Powers Authority to secure a lease for Mr. Bovis in the Salesforce Transit Center, in exchange for personal benefits provided by the restauranteur; Mr. Nuru providing Mr. Bovis with inside information on City projects regarding contracts for portable bathroom trailers and small container-like housing units for use by the homeless, so that Mr. Bovis could win the contracts for those projects; and Mr. Nuru obtaining free and discounted labor and construction

equipment from contractors to help him build a personal vacation home while those contractors were also engaging in business with the City. Mr. Nuru resigned from employment with the City two weeks after his arrest. On February 4, 2020, the City Attorney and Controller announced a joint investigation that was underway, stemming from federal criminal charges filed against Mr. Nuru and Mr. Bovis.

The City Attorney's Office, in conjunction with the Controller's Office, is seeking to identify officials, employees and contractors involved in these schemes or other related conduct, and to identify contracts, grants, gifts, and other government decisions possibly tainted by conflicts of interest and other legal or policy violations. The Controller's Office, in conjunction with the City Attorney's Office, has put into place interim controls to review Public Works contracts for red flags and process failures. The Controller's Office is also working with the City Attorney's Office to identify whether stop payments, cancellations or other terminations are justified on any open contracts, purchase orders or bids. Also, the Controller, in coordination with the City Attorney's Office, intends to produce periodic public reports setting forth assessments of patterns and practices to help prevent fraud and corruption and recommendations about best practices, including possible changes in City law and policy.

On March 10, 2020, the City Attorney transmitted to the Mayor its preliminary report of investigations of alleged misconduct by the City's Director of the Department of Building Inspections ("DBI"). The allegations involve violations of the City Campaign and Conduct Code and DBI's Code of Professional Conduct by the Director by (i) providing intentional and preferential treatment to certain permit expediters, (ii) accepting gifts and dinners in violation of DBI's professional code of conduct, and (iii) otherwise violating City laws and policies by abusing his position to seek positions for his son and son's girlfriend. The Mayor placed the Director of Building Inspection on administrative leave, and he resigned shortly thereafter.

On June 29, 2020, the Controller released its preliminary assessment of Citywide procurement practices, with an emphasis on the Public Works Department. The report is subject to public comment and review and could be revised in the future. The preliminary assessment focused on City laws, practices and policies and made recommendations to make improvements on such City laws and policies to improve transparency, reduce the risk of loss and abuse in City contracting in the future. The Controller expects to issue additional reports in the future. Reviews of the City internal controls will be released in a subsequent report. Finally, the City Attorney investigation continues with respect to the review certain contracts and payments made to outside vendors. To date, the City Attorney's investigation has led to the release of four city employees (including the Director of Public Works and the Director of Building Inspections, as described above) or officials from their City positions.

On September 24, 2020 the Controller issued an additional report noting that Mr. Nuru also solicited donations from private sources and directed those donations to a non-profit supporting the Department of Public Works. Such arrangements, which were neither accepted or disclosed by the City, created a perceived risk of "pay-to-play" relationships. The report made recommendations to the Board of Supervisions that, among other things, would restrict the ability of department heads from soliciting donations from interested parties in the future and would increase transparency surrounding gifts made to benefit City departments.

On November 30, 2020, Harlan L. Kelly, Jr., the General Manager of the San Francisco Public Utilities Commission ("PUC"), was charged in a federal criminal complaint with one count of honest services wire fraud. The complaint alleges that Mr. Kelly engaged in a long-running bribery scheme and corrupt partnership with Walter Wong, a San Francisco construction company executive and permit expediting

consultant, who ran or controlled multiple entities doing business with the City. The complaint further alleges that as part of the scheme, Mr. Wong provided items of value to Mr. Kelly in exchange for official acts by Mr. Kelly that benefited or attempted to benefit Mr. Wong's business ventures. Earlier criminal charges filed against Walter Wong alleged that Mr. Wong conspired with multiple City officials, including Mr. Nuru, in a conspiracy and money laundering scheme. Mr. Wong pled guilty in July of this year and is cooperating with the ongoing federal investigation.

Mr. Kelly resigned on December 1, 2020, and the PUC's Commission acted on his resignation on December 8, 2020. Dennis J. Herrera (the current City Attorney) was nominated by the Mayor to be the General Manager of the PUC and his nomination was confirmed by the PUC on September 28, 2021. Mr. Herrera is expected to assume office as General Manager of PUC on November 1, 2021.

On March 4, 2021, the City Attorney announced an approximately $100 million settlement with Recology San Francisco ("Recology"), the contractor handling the City's waste and recycling collection. The settlement arose from overcharges that were uncovered as part of the continuing public integrity investigation tied to Mr. Nuru and others. As part of the Settlement, Recology will be required to lower commercial and residential rates starting April 1, 2021, and make a $7 million settlement payment to the City under the California Unfair Competition Law and the San Francisco Campaign and Governmental Conduct Code. In addition, Recology will be enjoined for four years from making any gift to any City employee or any contribution to a nonprofit at the behest of a City employee. The comprehensive settlement agreement with Recology is subject to approval by the Board of Supervisors. The bribery and corruption public integrity investigation related to the Nuru matter is ongoing. On July 8, 2021 the San Francisco District Attorney announced the arrest of former Department of Public Works bureau manager Gerald "Jerry" Sanguinetti. Mr. Sanguinetti was charged with five felony counts of perjury and two misdemeanor charges arising from his failure to report income and file financial disclosure statements associated with the sale to the Public Works Department of merchandise by a company owned by his wife. The charges arise out of the continuing investigation into public corruption involving the Public Works Department. The Public Works Department investigation is ongoing.

In addition to the ongoing joint investigation by the City Attorney's Office and the Controller's Office into City contracting policies and procedures, the City's Board of Supervisors has initiated a series of public hearings before its Government Audit and Oversight Committee to examine issues raised by the federal complaints. That committee will also consider the Controller's periodic reports. The full Board of Supervisors is considering retaining additional independent services relating to the matters that were the subject of the federal indictment. The City can give no assurance regarding when the City's investigation will be completed or what the outcome will be. The criminal investigation by the Federal Bureau of Investigation and the United States Attorney's office is ongoing.

**Risk Retention Program**

Citywide risk management is coordinated by the Risk Management Division which reports to the Office of the City Administrator. With certain exceptions, it is the general policy of the City not to purchase commercial liability insurance for the risks of losses to which it is exposed but rather to first evaluate self-insurance for such risks. The City believes that it is more economical to manage its risks internally and administer, adjust, settle, defend, and pay claims from budgeted resources (i.e., "self-insurance"). The City obtains commercial insurance in certain circumstances, including when required by bond or lease financing covenants and for other limited purposes. The City actuarially determines liability and workers' compensation risk exposures as permitted under State law. The City does not maintain commercial

earthquake coverage, with certain minor exceptions.

The City's decision to obtain commercial insurance depends on various factors including whether the facility is currently under construction or if the property is owned by a self-supporting enterprise fund department. For new construction projects, the City has utilized traditional insurance, owner-controlled insurance programs or contractor-controlled insurance programs. Under the latter two approaches, the insurance program provides coverage for the entire construction project. When a traditional insurance program is used, the City requires each contractor to provide its own insurance, while ensuring that the full scope of work be covered with satisfactory limits. The majority of the City's commercial insurance coverage is purchased for enterprise fund departments and other similar revenue-generating departments (i.e. the Airport, MTA, the PUC, the Port and Convention Facilities, etc.). The remainder of the commercial insurance coverage is for General Fund departments that are required to provide coverage for bond-financed facilities, coverage for collections at City-owned museums and to meet statutory requirements for bonding of various public officials, and other limited purposes where required by contract or other agreement.

Through coordination between the City Controller and the City Attorney's Office, the City's general liability risk exposure is actuarially determined and is addressed through appropriations in the City's budget and also reflected in the Comprehensive Annual Financial Report. The appropriations are sized based on actuarially determined anticipated claim payments and the projected timing of disbursement.

The City and County of San Francisco is self-insured for the financial risk and liability to provide workers' compensation benefits to its employees. The administration of workers' compensation claims and disbursement of all benefit payments is managed by the Workers' Compensation Division of the City's Department of Human Resources and its contracted third-party claims administrator. Estimates of future workers' compensation costs are based on the following criteria: (i) the frequency and severity of historical claim filings; (ii) average claim losses by expense category; (iii) gross payroll and workforce composition; (iv) benefit cost inflation, including increases to the statewide average weekly wage, and medical cost growth; and (v) regulatory developments that impact benefit cost and delivery. The Workers' Compensation Division determines and allocates workers' compensation costs to departments based upon actual claim benefit expenditures and an allocated share of overhead expenses for self-insurance administration. The City continues to develop and implement programs to lower or mitigate workers' compensation costs.