

1 [Veterans Building Special Election.]

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3 **Ordinance calling and providing for a special election to be held in the City and County**
4 **of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the**
5 **voters of the City and County of San Francisco a proposition to incur the following**
6 **bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred**
7 **Fifty-Five Thousand Dollars (\$122,755,000) for the acquisition, rehabilitation,**
8 **renovation, improvement, construction and/or reconstruction by the City and County of**
9 **the San Francisco War Memorial Veterans Building, and all other works, property and**
10 **structures necessary or convenient for the foregoing purposes; providing for the use**
11 **of available annual revenues on deposit in the War Memorial Special Fund to reduce**
12 **the property tax impact; finding that the estimated cost of such proposed project is and**
13 **will be too great to be paid out of the ordinary annual income and revenue of the City**
14 **and County and will require expenditures greater than the amount allowed therefor by**
15 **the annual tax levy; reciting the estimated cost of such proposed project; fixing the**
16 **date of election and the manner of holding such election and the procedure for voting**
17 **for or against the proposition; fixing the maximum rate of interest on such bonds and**
18 **providing for the levy and collection of taxes to pay both principal and interest thereof;**
19 **prescribing notice to be given of such election; finding the proposed project is in**
20 **conformity with the priority policies of Planning Code Section 101.1(b) and with the**
21 **General Plan consistency requirement of Administrative Code Section 2A.53;**
22 **consolidating the special election with the general election; establishing the election**
23 **precincts, voting places and officers for the election; waiving the word limitation on**
24 **ballot propositions imposed by San Francisco Municipal Elections Code Section 510;**

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1 **complying with Section 53410 of the California Government Code; and incorporating**
2 **the provisions of Article V of Chapter V of the San Francisco Administrative Code.**

3 Note: Board amendment additions are double underlined.
4 Board amendment deletions are ~~strikethrough normal~~.

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

6 Section 1. A special election is hereby called and ordered to be held in the City and
7 County of San Francisco (the "City") on Tuesday, the 5th day of November, 2002, for the
8 purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of
9 the City for the project hereinafter described in the amount and for the purposes stated:

10 "VETERANS BUILDING SEISMIC SAFETY BONDS, 2002. \$122,755,000 for the
11 acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction of the
12 San Francisco War Memorial Veterans Building, and all other works, property and structures
13 necessary or convenient for the foregoing purposes."

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

16 Section 2. For purposes of this ordinance and the proposition to be voted on set
17 forth in Section 6 hereof, "available annual revenues of the War Memorial Special Fund" shall
18 mean those revenues on deposit, up to \$3,000,000 per year, in the War Memorial Special
19 Fund as established by Section 10.100-361 of the Administrative Code which shall be applied
20 to reduce the amount of property tax impact.

21 Section 3. The estimated cost of the project described in Section 1 hereof was fixed by
22 the Board of Supervisors of the City (the "Board of Supervisors") by the following resolution
23 and in the amount specified below:

24 Resolution No. 423-02, \$122,755,000.
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1 Such resolution was passed by two-thirds or more of the Board of Supervisors and
2 approved by the Mayor of the City (the “Mayor”). In such resolution it was recited and found
3 that the sum of money specified is too great to be paid out of the ordinary annual income and
4 revenue of the City in addition to the other annual expenses thereof or other funds derived
5 from taxes levied for those purposes and will require expenditures greater than the amount
6 allowed therefor by the annual tax levy.

7 The method and manner of payment of the estimated costs described herein are by the
8 issuance of bonds of the City not exceeding the principal amount specified.

9 Such estimate of costs as set forth in such resolution is hereby adopted and
10 determined to be the estimated cost of such improvements and financing, as designed to
11 date.

12 Section 4. The Bond Special Election shall be held and conducted and the votes
13 thereafter received and canvassed, and the returns thereof made and the results thereof
14 ascertained, determined and declared as herein provided and in all particulars not herein
15 recited such election shall be held according to the laws of the State of California and the
16 Charter of the City (the “Charter”) and any regulations adopted pursuant thereto, providing for
17 and governing elections in the City, and the polls for such election shall be and remain open
18 during the time required by such laws and regulations.

19 Section 5. The Bond Special Election is hereby consolidated with the General Election
20 scheduled to be held in the City on Tuesday, November 5, 2002. The voting precincts, polling
21 places and officers of election for the November 5, 2002 General Election are hereby
22 adopted, established, designated and named, respectively, as the voting precincts, polling
23 places and officers of election for the Bond Special Election hereby called, and reference is
24 hereby made to the notice of election setting forth the voting precincts, polling places and
25 officers of election for the November 5, 2002 General Election by the Director of Elections to

1 be published in the official newspaper of the City on the date required under the laws of the
2 State of California.

3 Section 6. The ballots to be used at the Bond Special Election shall be the ballots to
4 be used at the November 5, 2002 General Election. The word limit for ballot propositions
5 imposed by San Francisco Municipal Elections Code Section 510 is hereby waived. On the
6 ballots to be used at the Bond Special Election, in addition to any other matter required by law
7 to be printed thereon, shall appear the following as a separate proposition:

8 "VETERANS BUILDING SEISMIC SAFETY BONDS, 2002. Shall the City incur
9 \$122,755,000 of bonded indebtedness for the acquisition, rehabilitation, renovation,
10 improvement, construction and/or reconstruction of the San Francisco War Memorial Veterans
11 Building, and all other works, property and structures necessary or convenient for the
12 foregoing purposes, and reduce the property tax impact by requiring the application of
13 available annual revenues of the War Memorial Special Fund to pay the principal and
14 redemption price of, interest on, reserve fund deposits, if any, and/or financing costs for the
15 obligations to be authorized hereby?"

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

20 Section 7. If at the Bond Special Election it shall appear that two-thirds of all the voters
21 voting on the proposition voted in favor of and authorized the incurring of bonded
22 indebtedness for the purposes set forth in such proposition, then such proposition shall have
23 been accepted by the electors, and bonds authorized thereby shall be issued upon the order
24 of the Board of Supervisors. Such bonds shall bear interest at a rate not exceeding applicable
25 legal limits.

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

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

13 Section 9. This ordinance shall be published in accordance with any state law
14 requirements, and such publication shall constitute notice of the Bond Special Election and no
15 other notice of the Bond Special Election hereby called need be given.

16 Section 10. The Board of Supervisors having reviewed the proposed legislation, finds
17 and declares (i) that the proposed project is in conformity with the priority policies of Section
18 101.1(b) of the City Planning Code and (ii) in accordance with Section 2A.53(f) of the City
19 Administrative Code, that the proposed project is consistent with the City's General Plan, and
20 hereby adopts the findings of the City Planning Department, as set forth in the General Plan
21 Referral Report, dated May 28, 2002, and incorporates said findings by reference.

22 Section 11. Pursuant to Section 53410 of the California Government Code, the bonds
23 shall be for the specific purpose authorized herein and the proceeds of such bonds will be
24 applied only to the project described herein. The City will comply with the requirements of
25 Sections 53410(c) and 53410(d) of the California Government Code.

1 Section 12. Pursuant to Proposition F approved by the voters of the City in November,
2 2001, the Veterans Building Seismic Safety Bonds are subject to, and incorporate by
3 reference, the provisions of Article V of Chapter V of the San Francisco Administrative Code
4 (“Proposition F Requirements”). Pursuant to Proposition F Requirements, to the extent
5 permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Veterans
6 Building Seismic Safety Bonds shall be deposited in a fund established by the Controller’s
7 Office and appropriated by the Board of Supervisors at the direction of the citizen’s bond
8 oversight committee established by Proposition F Requirements to cover the costs of said
9 committee.

10 Section 13. The appropriate officers, employees, representatives and agents of the
11 City are hereby authorized and directed to do everything necessary or desirable to accomplish
12 the calling and holding of the Bond Special Election, and to otherwise carry out the provisions
13 of this ordinance.

14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney
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17 By: _____
18 THERESA ALVAREZ
19 Deputy City Attorney
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