

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 of San**  
4 **Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City**  
5 **and County of San Francisco a proposition to incur the following bonded debt of the City and**  
6 **County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars**  
7 **(\$122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or**  
8 **reconstruction by the City and County of the San Francisco War Memorial Veterans Building,**  
9 **and all other works, property and structures necessary or convenient for the foregoing purposes;**  
10 **providing for the use of available annual revenues on deposit in the War Memorial Special Fund**  
11 **to reduce the property tax impact; finding that the estimated cost of such proposed project is and**  
12 **will be too great to be paid out of the ordinary annual income and revenue of the City and**  
13 **County and will require expenditures greater than the amount allowed therefor by the annual tax**  
14 **levy; reciting the estimated cost of such proposed project; fixing the date of election and the**  
15 **manner of holding such election and the procedure for voting for or against the proposition;**  
16 **fixing the maximum rate of interest on such bonds and providing for the levy and collection of**  
17 **taxes to pay both principal and interest thereof; prescribing notice to be given of such election;**  
18 **finding the proposed project is in conformity with the priority policies of Planning Code Section**  
19 **101.1(b) and with the General Plan consistency requirement of Administrative Code Section**  
20 **2A.53; consolidating the special election with the general election; establishing the election**  
21 **precincts, voting places and officers for the election; waiving the word limitation on ballot**  
22 **propositions imposed by San Francisco Municipal Elections Code Section 510; complying with**  
23 **Section 53410 of the California Government Code; and incorporating the provisions of Article V**  
24 **of Chapter V of the San Francisco Administrative Code.**

25 Note: Additions are single underline italics Times New Roman.

Deletions are ~~strikethrough italics Times New Roman~~.

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

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

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

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

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

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

21 Resolution No. 423-02, \$122,755,000.

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

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

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

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

13 Section 5. The Bond Special Election is hereby consolidated with the General Election  
14 scheduled to be held in the City on Tuesday, November 5, 2002. The voting precincts, polling places  
15 and officers of election for the November 5, 2002 General Election are hereby adopted, established,  
16 designated and named, respectively, as the voting precincts, polling places and officers of election for  
17 the Bond Special Election hereby called, and reference is hereby made to the notice of election setting  
18 forth the voting precincts, polling places and officers of election for the November 5, 2002 General  
19 Election by the Director of Elections to be published in the official newspaper of the City on the date  
20 required under the laws of the State of California.

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

1 "VETERANS BUILDING SEISMIC SAFETY BONDS, 2002. Shall the City incur  
2 \$122,755,000 of bonded indebtedness for the acquisition, rehabilitation, renovation, improvement,  
3 construction and/or reconstruction of the San Francisco War Memorial Veterans Building, and all other  
4 works, property and structures necessary or convenient for the foregoing purposes, and reduce the  
5 property tax impact by requiring the application of available annual revenues of the War Memorial  
6 Special Fund to pay the principal and redemption price of, interest on, reserve fund deposits, if any,  
7 and/or financing costs for the obligations to be authorized hereby?"

8 Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the  
9 ballot in the location corresponding to a "YES" vote for the proposition, and to vote against the  
10 proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

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

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

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

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

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

12 Section 11. Pursuant to Section 53410 of the California Government Code, the bonds shall be  
13 for the specific purpose authorized herein and the proceeds of such bonds will be applied only to the  
14 project described herein. The City will comply with the requirements of Sections 53410(c) and  
15 53410(d) of the California Government Code.

16 Section 12. Pursuant to Proposition F approved by the voters of the City in November, 2001,  
17 the Veterans Building Seismic Safety Bonds are subject to, and incorporate by reference, the provisions  
18 of Article V of Chapter V of the San Francisco Administrative Code ("Proposition F Requirements").  
19 Pursuant to Proposition F Requirements, to the extent permitted by law, one-tenth of one percent  
20 (0.1%) of the gross proceeds of the Veterans Building Seismic Safety Bonds shall be deposited in a  
21 fund established by the Controller's Office and appropriated by the Board of Supervisors at the  
22 direction of the citizen's bond oversight committee established by Proposition F Requirements to cover  
23 the costs of said committee.

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

4 APPROVED AS TO FORM:

5 DENNIS J. HERRERA, City Attorney

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7 By: *Theresa Alvarez*  
8 THERESA ALVAREZ  
9 Deputy City Attorney