File No.

Committee Item No. \_\_\_\_\_\_\_ Board Item No. \_\_\_\_\_\_\_

## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

171D11

Board of Supervisors Meeting

Date Orbohr 19, 2017 Date Octoper 31, 2017

## **Cmte Board**

		Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Youth Commission Report Introduction Form Department/Agency Cover Letter and/or Report MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence
OTH	ĒR	(Use back side if additional space is needed)

Completed by:	Linda Wong	Date	October 12
Completed by:		Date	October 10 October 10

**BOARD of SUPERVISORS** 



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

## MEMORANDUM

## BUDGET AND FINANCE COMMITTEE

## SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Malia Cohen, Chair Budget and Finance Committee

- FROM: Linda Wong, Assistant Clerk
- DATE: October 23, 2017
- SUBJECT: COMMITTEE REPORT, BOARD MEETING Tuesday, October 24, 2017

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting on Tuesday, October 24, 2017, at 2:00 p.m. This item was acted upon at the Committee Meeting on Thursday, October 19, 2017, at 1:00 p.m., by the votes indicated.

### Item No. 36 File No. 171011

Ordinance appropriating \$12,600,000 of proceeds from Water Enterprise Revenue Bonds to fund the Long-Term Monitoring Permit Program for the vegetation restoration of the Water System Improvement Program construction sites and the Bioregional Habitat Restoration projects as required by the related federal and state regulatory permits in FY2017-2018; and placing \$12,600,000 of proceeds on Controller's Reserve pending receipt of proceeds of indebtedness.

#### **RECOMMENDED AS COMMITTEE REPORT**

Vote: Supervisor Malia Cohen - Aye Supervisor Norman Yee - Absent Supervisor Katy Tang - Aye Supervisor Aaron Peskin - Aye

Board of Supervisors Angela Calvillo, Clerk of the Board Jon Givner, Deputy City Attorney Alisa Somera, Legislative Deputy Director

C:

## FILE NO. 171011

## ORDINANCE NO.

## RO#18006 SA#40-06

[Appropriation - Proceeds from Water Enterprise Revenue Bonds - Long Term Monitoring Permit Program - \$12,600,000 - FY2017-2018]

Ordinance appropriating \$12,600,000 of proceeds from Water Enterprise Revenue Bonds to fund the Long-Term Monitoring Permit Program for the vegetation restoration of the Water System Improvement Program construction sites and the Bioregional Habitat Restoration projects as required by the related federal and state regulatory permits in FY2017-2018; and placing \$12,600,000 of proceeds on Controller's Reserve pending receipt of proceeds of indebtedness.

Note: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in <u>single-underline italics Times New Roman font</u>. Deletions to Codes are in <u>strikethrough italics Times New Roman font</u>. Board amendment additions are in <u>double-underlined Arial font</u>. Board amendment deletions are in <u>strikethrough Arial font</u>.

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

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2017-2018.

SOURCES Appropriation

Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority	· · ·		
26405	10015236_0001 /	480111	Water Enterprise	\$12,600,000
WATER CPF 2017	. 17731		Revenue Bonds	· ·
Bond Fund /			:	
232396				

Mayor Lee BOARD OF SUPERVISORS

## **Total SOURCE Appropriation**

#### \$12,600,000

Section 2. The uses of funding outlined below are herein appropriated in Account 506070, Programmatic Projects, to fund the San Francisco Public Utilities Commission's Long Term Monitoring Permit Program for the Water System Improvement Program and Bioregional Habitat Restoration projects for Fiscal Year 2017-2018.

**USES** Appropriation

Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
26405	10015233_0001 /	506070	Programmatic	\$12,600,000
WATER CPF 2017	15549		Projects, Long-Term	
Bond Fund /			Monitoring Permit	•
232396	•		Program	

Total USES Appropriation

\$12,600,000

Section 3: The total appropriation of \$12,600,000 is placed on Controller's Reserve pending receipt of proceeds of indebtedness.

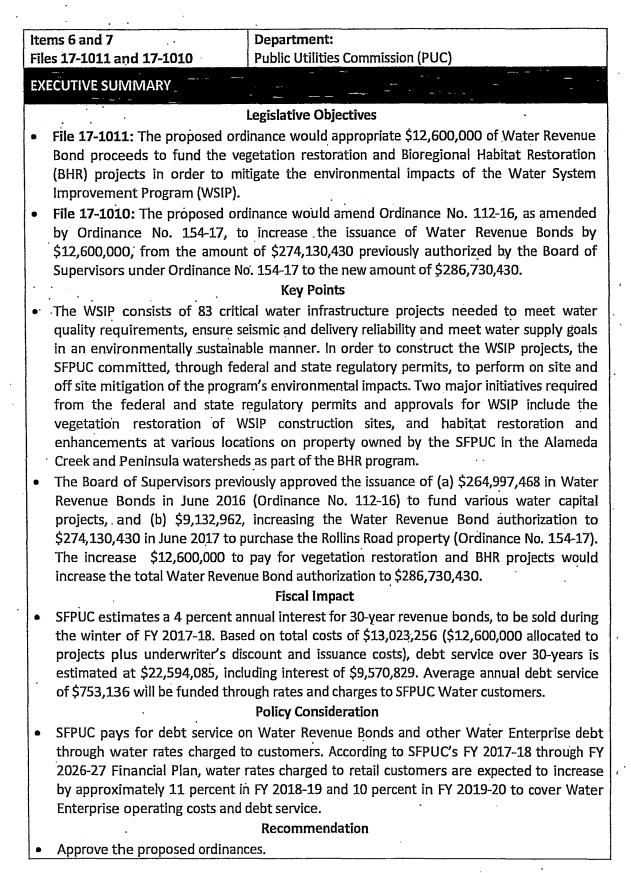
Section 4: The Controller is authorized to record transfers between funds and adjust the accounting treatment of sources and uses appropriated in this ordinance as necessary to conform to Generally Accepted Accounting Principles.

APPROVED AS TO FORM: FUNDS AVAILABLE DENNIS J. HERRERA, City Attorney BEN ROSENEIELD, Controller By: By: BUCK DELVENTHAL Deputy City Attorney BEN ROS Controller SENFIELD .' 

Mayor Edwin M. Lee Office of the Mayor

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#### OCTOBER 19, 2017



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SAN FRANCISCO BOARD OF SUPERVISORS

OCTOBER 19, 2017

#### MANDATE STATEMENT

Charter Section 8B.124 authorizes the San Francisco Public Utilities Commission (SFPUC) to issue revenue bonds, including notes, commercial paper or other forms of indebtedness, when authorized by ordinance approved by a two-thirds vote of the Board of Supervisors, to reconstruct, replace, expand, repair or improve water or clean water facilities under the jurisdiction of the SFPUC.

Charter Section 9.105 states that the Board of Supervisors shall approve by ordinance all amendments to the Annual Appropriation Ordinance after the Controller certifies the availability of funds.

#### BACKGROUND

On November 5, 2002, San Francisco voters approved Proposition E, which authorized the San Francisco Public Utilities Commission (SFPUC) to issue water revenue bonds to reconstruct, replace, expand, repair, or improve SFPUC water facilities when authorized by ordinance and approved by a two-thirds vote of the Board of Supervisors.

The Water System Improvement Program (WSIP) consists of 83 critical water infrastructure projects needed to meet water quality requirements, ensure seismic and delivery reliability and meet water supply goals in an environmentally sustainable manner. In order to construct the WSIP projects, the SFPUC committed, through federal and state regulatory permits, to perform on site and off site mitigation. Two of the three<sup>1</sup> major initiatives required from the federal and state regulatory permits and approvals for WSIP include the following as part of the Long Term Monitoring Permit Program (LTMPP):

- Vegetation Restoration of WSIP Construction Sites: The purpose of this program is to revegetate the WSIP construction sites to preconstruction conditions or better. The program includes planting, monitoring and maintenance activities related to restoring and revegetating the WSIP project sites.
- Bioregional Habitat Restoration (BHR) Program: The purpose of this program is to compensate for the WSIP construction impacts to a broad range of habitats and special status species by restoring and enhancing habitats primarily through constructing wetlands, removing non-native species and planting native vegetation. The program includes approximately 2,000 acres of habitat restoration and enhancements at various locations on property owned by the SFPUC in the Alameda Creek and Peninsula watersheds.

<sup>&</sup>lt;sup>1</sup> The third major initiative is fisheries monitoring and habitat restoration in the Alameda and Peninsula watersheds, which is not part of this appropriation request.

SAN FRANCISCO BOARD OF SUPERVISORS

### DETAILS OF PROPOSED LEGISLATION

File 17-1010: The proposed ordinance would amend Ordinance No. 112-16, as amended by Ordinance No. 154-17, to authorize an increase of the issuance and sale of tax-exempt or taxable Water Revenue Bonds and other forms of indebtedness by the SFPUC in an aggregate principal amount not to exceed \$286,730,430 to finance the costs of various capital water projects benefitting the Water Enterprise, including certain BHR program and vegetation restoration costs pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; authorize the issuance of Water Revenue Refunding Bonds; declare the Official Intent of the SFPUC to reimburse itself with one or more issues of tax-exempt or taxable bonds or other forms of indebtedness; and ratify previous actions taken in connection therewith.

File 17-1011: The proposed ordinance would appropriate \$12,600,000 of proceeds from Water Enterprise Revenue Bonds to fund the LTMPP for vegetation restoration of the WSIP construction sites and the BHR program, as required by the related federal and state regulatory permits in FY 2017-18 and place \$12,600,000 of proceeds on Controller's Reserve pending receipt of proceeds of indebtedness.

#### Increase in Water Revenue Bond Authorization by \$12,600,000 (File 17-1010)

On June 14, 2016, the Board of Supervisors approved the issuance of not to exceed \$264,997,468 of SFPUC Water Revenue Bonds to finance various SFPUC water capital projects (File 16-0468, Ordinance No. 112-16). On June 15, 2017, the Board approved the increase of the issuance and sale of tax-exempt or taxable Water Revenue bonds and other forms of indebtedness by SFPUC to an aggregate principal amount not to exceed \$274,130,430 to finance the costs of various capital water projects benefitting the Water Enterprise, including new funding of \$9,132,962 to finance the cost of the acquisition of the Rollins Road property (File 17-0678, Ordinance No. 154-17).

The proposed ordinance would amend Ordinance No. 154-17, increasing the bond authorization amount by \$12,600,000, from \$274,130,430 to \$286,730,430. Revenue bonds will be issued during the winter of FY 2017-18.

#### \$12,600,000 Appropriation to WSIP Programs (File 17-1011)

The proposed ordinance would appropriate \$12,600,000 of Water Revenue Bond proceeds as follows:

- \$10,400,000 for the BHR program
- \$2,200,000 for vegetation restoration of the WSIP construction sites

According to Mr. Tim Ramirez of SFPUC, the appropriation would allow the continuation of both programs that are part of the SFPUC's ongoing fulfillment of federal and state permitting requirements and California Environmental Quality Act (CEQA) commitments associated with WSIP environmental impacts. The specific requirements for SFPUC's mitigation obligations on BHR sites were established by the permitting agencies issuing the environmental permits for WSIP projects, including the United States Army Corps of Engineers, United States Fish and

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SAN FRANCISCO BOARD OF SUPERVISORS

Wildlife Service; National Marine Fisheries Service, San Francisco Bay Regional Water Quality Control Board, and the California Department of Fish and Wildlife. The BHR program also fulfills requirements of WSIP CEQA documents developed by the City's Planning Department.

According to Mr. Ramirez, the appropriation is needed because SFPUC neglected to allocate funding for these programs in the FY 2017-18 budget due to internal miscommunication during the mid-cycle budget process. Mr. Ramirez stated that this is being rectified in the current budget process for future fiscal years.

#### Issuance of Water Revenue Bonds and Commercial Paper

According to Mr. Mike Brown of SFPUC, costs for the BHR program and the vegetation restoration of the WSIP construction sites at \$12,600,000 would be immediately funded through SFPUC's commercial paper program<sup>2</sup>, which would allow SFPUC to begin work on the projects before the bond issuance. The commercial paper would then be refunded with the issuance of SFPUC revenue bonds during the winter of FY 2017-18. To date, Mr. Brown advises that the SFPUC has not issued any of the previously authorized Water Revenue Bonds, totaling \$274,130,430.

Under the proposed ordinance authorizing the increase in the amount and issuance of Water Revenue Bonds, Mr. Brown advises that these bonds will be sold on a competitive and taxexempt basis.

#### FISCAL IMPACT

Table 1 below shows the breakdown of the requested supplemental appropriation ordinance (File 17-1011) for the \$12,600,000 required for the vegetation restoration and BHR programs in FY 2017-18.

SAN FRANCISCO BOARD OF SUPERVISORS

BUDGET AND LEGISLATIVE ANALYST

<sup>&</sup>lt;sup>2</sup> Commercial paper is short term, low interest debt that can used as interim funding for capital projects pending the issuance of long term bonds. The Board of Supervisors previously authorized the Water Enterprise Commercial. Paper Program in an amount not-to-exceed \$500 million.

#### OCTOBER 19, 2017

Activity	Total Estimated Cost	Appropriated to Date	Remaining Funds Required
Vegetation Restoration of WS	P Construction Site	s Program	
Planning, Program Management, and Environmental Review	\$495,000	· \$120,000	\$375,000
On-going Construction and Habitat Improvements	\$1,065,000	\$200,000	\$865,000
Compliance Monitoring	\$1,170,000	\$210,000	\$960,000
Total Cost for Vegetation Restoration of WSIP Construction Sites Program	\$2,730,000	\$530,000	\$2,200,000
BHR.PT	ogram		
Planning, Program Management, and Environmental Review	\$1,733,000	\$280,000	\$1,453,000
On-going Construction and Habitat Improvements	\$4,654,000	\$774,000	\$3,880,000
Compliance Monitoring	\$6,873,000	\$1,806,000	\$5,067,000
Total Cost for BHR Program	\$13,260,000	\$2,860,000	\$10,400,000
Total Cost for All Programs	\$15,990,000	\$3,390,000	\$12,600,000

#### Table 1: Total FY 2017-18 Cost of Programs and Remaining \$12,600,000 to be Appropriated

#### Debt Financing

Table 2 below shows the estimated cost for the issuance of the \$12,600,000 of revenue bonds to finance the LTMPP for vegetation restoration of the WSIP construction sites and the BHR program.

Table 2: Estimated Costs of Issuance

· ·		Amount
Project Funds	•	\$12,600,000
Underwriter's Discount *		32,558
Cost of Issuance**	• •	390,698
Estimated Total Costs of Issuance	•	\$13,023,256

\* Underwriter's Discount is the difference between the price that the underwriter pays the issuer for the bonds and the price at which it sells the bonds in a public offering.

\*\*Cost of Issuance includes fees for rating agencies, financial advisors, attorneys, Revenue Bond Oversight Committee, City Services Auditor

Source: SFPUC

The projected \$423,256 expense for the underwriter's discount and cost of issuance for the \$12,600,000 project would be funded from previous SFPUC authorized appropriations.

The SFPUC estimates an approximate 4 percent annual interest rate for 30-year revenue bonds, which are anticipated to be sold during the winter of FY 2017-18. Based on a total cost of \$13,023,256 shown in Table 2 above, total debt service over the 30-year term is estimated at \$22,594,085; including interest costs of \$9,570,829 and average annual debt service payments

SAN FRANCISCO BOARD OF SUPERVISORS

BUDGET AND LEGISLATIVE ANALYST

of \$753,136. Annual debt service will be budgeted each year in the SFPUC's Water Enterprise operating budget, subject to Board of Supervisors appropriation approval, and funded through rates and charges to SFPUC Water customers.

#### Water Enterprise Capital Projects Bond Authorization

The total authorization of the issuance and sale of water revenue bonds in an aggregate principal amount not to exceed \$286,730,430 includes the requested funding of \$12,600,000 to finance the LTMPP, for vegetation restoration of the WSIP construction sites and the BHR program (File 17-1010).

Table 3 below shows the projects to be funded by the \$286,730,430 in Water Revenue Bond proceeds, including \$274,130,430 previously appropriated by the Board of Supervisors (Files 16-0468 and 17-0677) and \$12,600,000 requested for appropriation (File 17-1011).

Source of Funds	
Proceeds from Sale of Water Revenue Bonds	\$286,730,430
Total Sources	\$286,730,430
Uses of Funds	
Previously Appropriated	
Appropriated Under File 16-0648	
Regional Water Treatment Program	10,013,000
Water Transmission Program	13,979,000
Buildings & Ground Regional	14,743,000
Local Water Conveyance/Distribution	105,300,000
Automated Water Meter Program	2,000,000
Buildings & Ground Improvements	1,750,000
Systems Monitoring & Control	. 600,000
Local Water Supply – Other Recycled Water Projects	. 3,500,000
Pump Station Upgrades	4,000,000
San Francisco Groundwater Supply	4,995,000
SF Westside Recycled Water Project	27,806,000
Water Infrastructure	15,100,000
Joint Water - Bonds	3,150,000
Mountain Tunnel - Joint Water	21,245,400
Subtotal, File 16-0648	\$228,181,400
Rollins Road (File 17-0677)	9,132,962
Subtotal, Previously Appropriated	\$237,314,362
LTMPP: Vegetation Restoration and BHR Programs (File 17-1011)	12,600,000
Subtotal Project Costs	249,914,362
Financing Costs	35,958,018
City Services Auditor	725,552
Revenue Bond Oversight Committee	132,498
Subtotal Financing/Other Costs	36,816,068
Total Uses	\$286,730,430

Table 3: Sources and Uses of \$286,730,430 in Water Revenue Bond Proceeds

SAN FRANCISCO BOARD OF SUPERVISORS

BUDGET AND LEGISLATIVE ANALYST

OCTOBER 19, 2017

### POLICY CONSIDERATION

#### Impact of Debt Service on Water Rates Charged to Retail Customers

According to SFPUC's FY 2017-18 through FY 2026-27 Financial Plan, estimated annual debt service in FY 2017-18 on SFPUC's Water Revenue Bonds and other Water Enterprise debt is \$260.7 million, increasing to \$305.8 million in FY 2019-20, which would include debt service on the proposed \$286,730,430 in Water Revenue Bonds.

SFPUC pays for debt service on Water Revenue Bonds and other Water Enterprise debt through water rates charged to customers. According to SFPUC's FY 2017-18 through FY 2026-27 Financial Plan, water rates charged to retail customers are expected to increase by approximately 11 percent in FY 2018-19 and 10 percent in FY 2019-20 to cover Water Enterprise operating costs and debt service.

In accordance with Charter Section 8B.125, the SFPUC is responsible for setting the rates, fees and other charges for water and sewer. The SFPUC's action on all rates, fees and charges is subject to rejection, within 30 days of submission, by resolution of the Board of Supervisors. If the Board of Supervisors does not act within 30 days, the SFPUC proposed rates become effective without further Board of Supervisors action.

#### RECOMMENDATION

Approve the proposed ordinances.



Services of the San Francisco Public Utilities Commission



525 Golden Gaté Avenue, 7th Floor San Francisco, CA 94102 T 415.554.0773 cleanpowersf@sfwater.org

August 16, 2017

The Honorable Edwin Lee Mayor, City and County of San Francisco City Hall, Room 200

The Honorable Board of Supervisors City Hall, Room 244

Ben Rosenfield, Controller City Hall, Room 316

#### Subject: SFPUC – Long Term Monitoring Permit Program Supplemental Appropriation Request \$12,600,000

Ladies and Gentlemen:

Attached is a completed copy of the Request for Supplemental Appropriation in the amount of \$12,600,000 to fund the Long Term Monitoring Permit Program.

These funds are necessary to fund the implementation of the Long Term Monitoring Permit Program for the vegetation restoration of the Water System Improvement Program (WSIP) construction sites and the Bioregional Habitat Restoration (BHR) projects as required by federal and state regulatory permits related to the WSIP projects.

Funding for this supplemental request will come from the issuance of Water Enterprise revenue bonds.

Regardş,

Harlan L. Kelly, Jr. General Manager

Attachments

Edwin M. Lee Mayor

Anson Moran President

Ike Kwon Vice President

Ann Moller Caen Commissioner

Francesca Vietor Commissioner

> Vince Courtney Commissioner

Harlan L. Kelly, Jr. General Manaç



Office of the Mayor San Francisco



EDWIN M. LEE

 TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: 50 Mayor Edwin M. Lee
RE: Appropriation – Proceeds from Water Enterprise Revenue Bonds - Long Term Monitoring Permit Program - FY 2017-2018 - \$12,600,000
DATE: September 19, 2017

Attached for introduction to the Board of Supervisors is an ordinance appropriating \$12,600,000 of proceeds from Water Enterprise Revenue Bonds to fund the Long-Term Monitoring Permit Program for the vegetation restoration of the Water System Improvement Program construction sites and the Bioregional Habitat Restoration projects as required by the related federal and state regulatory permits in FY 2017-2018; and placing \$12,600,000 of proceeds on Controller's Reserve pending receipt of proceeds of indebtedness.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

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Services of the San Francisco Public Utilities Commission

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# Water System Improvement Program Federal and State Required Mitigation Legislation

September 19, 2017

Eric Sandler, **Chief Financial Officer** 



# **Summary of Requests**

- File 17-1010: Authorize an increase of the issuance of Water Revenue Bonds by \$12,600,000.
- File 17-1011: Appropriate \$12,600,000 of proceeds from Water Revenue Bonds to fund programs required by Federal and State Regulatory Permits.



# Background

- The SFPUC's Water System Improvement Program (WSIP) consists of 83 projects that enhance our ability to provide reliable, affordable, high quality drinking water in an environmentally sustainable manner to 2.7 million people in the Bay Area.
- In order to construct the WSIP projects, the SFPUC committed,<sup>∞</sup> through federal and state regulatory permits, to perform mitigation of the program's environmental impacts.
- Two of these permit requirements need funding:
  - Vegetation Restoration of WSIP Construction Sites
  - Bioregional Habitat Restoration (BHR) Program



# **Funding Info**

- The proposed ordinances would increase the Water Revenue Bond authorization and subsequently appropriate \$12,600,000 of Bond proceeds for FY 2017-18 as follows:
  - \$2,200,000 for vegetation restoration of WSIP construction sites
  - \$10,400,000 for the BHR program

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Questions?

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