



## OFFICE OF THE CITY ADMINISTRATOR

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Gavin Newsom, Mayor  
Edwin M. Lee, City Administrator

TO: Committee Chair Betty Packard, Committee Member Adele Fasick, Committee Member June Fraps, Committee Member Ann Jorgensen

COPY: Mollie Lee, Deputy City Attorney  
Barbara Carr, Department of Elections

FROM: Brian Strong, Director of the Capital Planning Program

SUBJECT: Ballot Simplification Committee – Request for Reconsideration regarding the Earthquake Bond (working title)

DATE: March 3, 2010

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Member of the Ballot Simplification Committee, I am formally requesting reconsideration of the ballot digest for the Earthquake Safety and Emergency Response Bond that was approved by you on March 2, 2010.

The variety of projects and inclusion of two departments add to the challenge of writing a ballot digest for this measure. The comments that follow are my attempt to add context, clarity, and consistency to ensure voters understand what they are being asked to consider.

I certainly appreciate the expertise, time, and dedication you provide to the City.

Thank you in advance for your thoughtful consideration of this request.

**Ballot Simplification Committee**

**Approved Digest –by: Packard, Fasick, Fraps, Jorgensen, 1:00 p.m. Tuesday, March 2, 2010**

**Requests for Reconsideration due by 1:00 p.m. on Wednesday, March 3, 2010**

Earthquake Bond (*working title only, subject to change*)

**The Way It Is Now:**

In the event of an earthquake or major disaster, the City relies on its fire and police departments to provide emergency response. These departments depend on a variety of facilities and infrastructures which include:

- ~~An-The citywide~~ Auxiliary Water Supply System (AWSS), ~~is that provides~~ a dedicated high-pressure water ~~supply~~ system for fighting fires. It includes a reservoir, pipes, cisterns, pump stations and high pressure fire hydrants. ~~This system, built in response to the 1906 earthquake, is deteriorating;~~
- Neighborhood fire stations ~~located throughout San Francisco;~~
- ~~Neighborhood police stations; and~~
- The City's Police Command Center ~~and Southern District Police Station currently housed in the Hall of Justice at 850 Bryant Street.~~

**Comment [gc1]:** Redundant. Consider deleting because the word is already used in the beginning of bullet

~~Both the Southern District Police Station and the Police Command Center are housed in the Hall of Justice at 850 Bryant Street. A study~~ Studies commissioned by the City indicates ~~that the AWSS, several fire stations, and the Hall of Justice are deteriorating and~~ se facilities are not expected to be operational after a major earthquake.

**Comment [A2]:** In addition to the Hall of Justice study, the AWSS Study, and detailed reviews of fire stations by verify this information. The AWSS Study can be found at [http://www.sfgov.org/site/cpp\\_index.asp?id=89978](http://www.sfgov.org/site/cpp_index.asp?id=89978) and DPW Fire Station report to Fire Commission last year.

The ten-year Capital Plan which objectively reviews capital improvements in San Francisco identified the repairs and relocation of public safety facilities and infrastructure as the City's highest priorities.

**Comment [gc3]:** This adds important context for why this bond is moving forward at this time and that the City has a well thought out and long-term approach to its use of GO bonds. Admin Code Section 3.20-3.21 specifically requires that GO bonds are prioritized and recommended in the 10-year Capital Plan that is approved by the Board of Supervisors and Mayor. The BSC has included similar language in the digest for the previous two GO bonds and leaving it out may suggest that this bond was not recommended by the Capital Plan.

With the approval of the voters, the City may issue general obligation bonds to pay for capital projects such as building or renovating fire and police stations and the AWSS.

Property tax revenues pay for the principal and interest on general obligation bonds.

**The Proposal:** Proposition \_\_\_ is a bond measure that would authorize the City to borrow up to \$412,300,000 by issuing general obligation bonds for capital projects to improve the City's fire, earthquake and emergency response.

~~Projects funded by the bond proceeds could would include;~~ Bond proceeds would fund projects to improve fire, earthquake, and emergency response. Specific projects could include:

**Comment [gc4]:** In consultation with the city attorney on this bond, Ken Roux, this sentence accurately depicts the language in the bond ordinance. The ordinance commits the city to using bond proceeds as written in the bond question.

- Upgrades to the City's Auxiliary Water Supply System (AWSS), including renovations and seismic retrofitting.
- Construction, renovation and seismic retrofitting of fire stations.

- Construction of a new Public Safety Building in Mission Bay. This building would house the Police Command Center, the Southern District ~~p~~Police ~~s~~Station, and a ~~new~~ neighborhood fire station.

**Comment [gc5]:** Redundant and already used in the beginning of the bullet.

The Mayor and the Board of Supervisors would ~~review proposals and~~ approve the final list of ~~earthquake safety and emergency response~~ projects ~~called for in this bond~~.

**Comment [A6]:** Current language suggests the Mayor and Board could approve any project even if it had nothing to do with EQ Safety and Emergency Response. That is not case and to suggest otherwise would risk the legitimacy of the bond ordinance and bond report which spell out projects to the greatest extent allowable. Should the City be challenged over this or other seemingly contradictory language in the Ordinance, the bond report would likely be referenced to determine overall intent.

Proposition \_\_\_ would require the Citizen's General Obligation Bond Oversight Committee to provide independent oversight of the spending of bond funds. One-tenth of one percent (0.1%) of these funds would pay for the Committee's audit and oversight.

~~Proposition \_\_\_ would allow an increase in the property tax to pay for the bonds. It would permit landlords to pass 50% of the resulting property tax increase to tenants.~~

**Comment [gc7]:** This passage is also reflected below and to point out twice is unnecessary. The Admin Code requires that GOs can be passed through to renters just like it requires GO bonds to be identified in the City's capital plan. Using this language twice suggests that this clause is of greater importance than other aspects of the Ordinance. Please consider deleting this language here or in the body of the "yes" question below.

Two-thirds of the voters would have to approve this measure for it to pass.

**A "YES" Vote Means:** If you vote "yes," you want the City to issue up to \$412,300,000 in general obligation bonds, subject to independent oversight and regular audits, for construction, renovation, and seismic retrofitting of fire and police department buildings and infrastructure. ~~Landlords would be allowed to pass 50% of the increase in property taxes to tenants.~~

**Comment [gc8]:** Consider replacing this with details of the measure to be concise. Suggestion: **...to ensure continuing operations of the High Pressure Fire Fighting Water Supply System, Neighborhood Fire Stations, and the Police Command Center during an earthquake or emergency?** This language is consistent with the ballot question in the ordinance.

**A "NO" Vote Means:** If you vote "no," you do not want the City to issue these general obligation bonds for construction, renovation, and seismic retrofitting of fire and police department buildings and infrastructure.

**Comment [gc9]:** Redundant and does not fold into the context of the question which can be extremely confusing for a voter. Please see comment 8.

word count: 450 [suggested word limit: 300]

**Comment [gc10]:** See comment 10 for consistency.