

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
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December 12, 2025

File Nos. 251216 and 251217

Sarah Dennis Phillips, Director
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Director Dennis Phillips:

The Board of Supervisors' Budget and Finance Committee has received the following General Obligation Bond legislation for the June 2, 2026, Election, introduced by Mayor Daniel Lurie:

File No. 251216

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 2, 2026, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of up to \$535,000,000 to finance the construction, acquisition, improvement, rehabilitation, renovation, expansion, and seismic retrofitting of the Emergency Firefighting Water System, Firefighting Facilities and Infrastructure, Police Facilities and Infrastructure, transportation facilities for the Municipal Railway Bus Storage and Maintenance Facility at Potrero Yard, and other Public Safety Facilities and Infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes (collectively, the "ESER Facilities"); authorizing landlords to pass-through 50% of the resulting property tax increase, if any, to residential tenants in accordance with Chapter 37 of the Administrative Code; finding that the estimated cost of such proposed ESER Facilities is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed ESER Facilities; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that portions of the bond proposal are not a "project" under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the bond

proposal; finding that the bond proposal is in conformity with the eight priority policies of Planning Code, Section 101.1(b) and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Section 2.34 of the Administrative Code.

File No. 251217

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, rehabilitation, expansion, renovation, and seismic retrofitting of the Emergency Firefighting Water System, Firefighting Facilities and Infrastructure, Police Facilities and Infrastructure, transportation facilities for the Municipal Railway Bus Storage and Maintenance Facility at Potrero Yard, and other Public Safety Facilities and Infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes (collectively, the “ESER Facilities”); authorizing landlords to pass-through 50% of the resulting property tax increase, if any, to residential tenants in accordance with Chapter 37 of the Administrative Code; finding that the estimated cost of \$535,000,000 for the proposed ESER Facilities is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; finding that portions of the bond proposal are not a “project” under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the bond proposal; finding that the proposed bond is in conformity and consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving the time requirements specified in Section 2.34 of the Administrative Code.

The proposed ordinance and resolution are being transmitted to the Planning Department for review and determination under the California Environmental Quality Act, and consistency with the City's General Plan and eight priority policies of Planning Code, Section 101.1. The ordinance is pending before the Budget and Finance Committee and will be scheduled for hearing following receipt of your response.

Angela Calvillo, Clerk of the Board

Brent Jalipa

By: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

Attachment

c: Jonas Ionin, Director of Commission Affairs
Dan Sider, Chief of Staff
Aaron Starr, Manager of Legislative Affairs
Josh Switzky, Acting Director of Citywide Planning
Tina Tam, Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Debra Dwyer, Principal Environmental Planner
Elizabeth Watty, Current Planning Division

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MEMORANDUM

Date: December 12, 2025
To: Planning Department / Commission
From: Brent Jalipa, Clerk of the Budget and Finance Committee
Subject: Board of Supervisors Legislation Referral - File No. 251216 - General Obligation Bond Election - Earthquake Safety and Emergency Response - Not to Exceed \$535,000,000 and File No. 251217 - General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$535,000,000

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☐ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☐ General Plan ☐ Planning Code, Section 101.1 ☐ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☒ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Brent Jalipa at Brent.Jalipa@sfgov.org.

1 [General Obligation Bond Election - Earthquake Safety and Emergency Response - Not to
2 Exceed \$535,000,000]

3 **Ordinance calling and providing for a special election to be held in the City and County**
4 **of San Francisco on Tuesday, June 2, 2026, for the purpose of submitting to**
5 **San Francisco voters a proposition to incur bonded indebtedness of up to \$535,000,000**
6 **to finance the construction, acquisition, improvement, rehabilitation, renovation,**
7 **expansion, and seismic retrofitting of the Emergency Firefighting Water System,**
8 **Firefighting Facilities and Infrastructure, Police Facilities and Infrastructure,**
9 **transportation facilities for the Municipal Railway Bus Storage and Maintenance Facility**
10 **at Potrero Yard, and other Public Safety Facilities and Infrastructure for earthquake and**
11 **public safety and related costs necessary or convenient for the foregoing purposes**
12 **(collectively, the “ESER Facilities”); authorizing landlords to pass-through 50% of the**
13 **resulting property tax increase, if any, to residential tenants in accordance with**
14 **Chapter 37 of the Administrative Code; finding that the estimated cost of such**
15 **proposed ESER Facilities is and will be too great to be paid out of the ordinary annual**
16 **income and revenue of the City and County and will require expenditures greater than**
17 **the amount allowed therefor by the annual tax levy; reciting the estimated cost of such**
18 **proposed ESER Facilities; fixing the date of election and the manner of holding such**
19 **election and the procedure for voting for or against the proposition; fixing the**
20 **maximum rate of interest on such bonds and providing for the levy and collection of**
21 **taxes to pay both principal and interest; prescribing notice to be given of such**
22 **election; finding that portions of the bond proposal are not a “project” under the**
23 **California Environmental Quality Act (CEQA) and adopting findings under CEQA for the**
24 **remaining portion of the bond proposal; finding that the bond proposal is in conformity**
25 **with the eight priority policies of Planning Code, Section 101.1(b) and is consistent with**

1 the General Plan; consolidating the special election with the general election;
2 establishing the election precincts, voting places, and officers for the election; waiving
3 the word limitation on ballot propositions imposed by Municipal Elections Code,
4 Section 510; complying with the restrictions on the use of bond proceeds specified in
5 Section 53410 of the California Government Code; incorporating the provisions of the
6 Administrative Code, Sections 5.30–5.36; and waiving the time requirements specified
7 in Section 2.34 of the Administrative Code.

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *~~striketrough italics Times New Roman font~~*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~striketrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

16 Section 1. Findings.

17 A. This Board of Supervisors (“Board”) recognizes the need to safeguard and
18 enhance the City’s earthquake safety and emergency response and recovery by rehabilitating
19 and improving critical facilities that support the City’s first responders and providing reliable
20 public transportation after a major seismic event.

21 B. The Earthquake Safety and Emergency Response Bond (“Bond”) will provide
22 funding to construct, improve, rehabilitate, replace, or expand earthquake safety and
23 emergency responsiveness facilities and infrastructure, and critical transportation facilities and
24 infrastructure (as described below in Section 3).
25

1 C. This Board now wishes to describe the terms of a ballot measure seeking
2 approval for the issuance of general obligation bonds to finance all or a portion of the City's
3 earthquake safety and response needs as described below.
4

5 Section 2. A special election is called and ordered to be held in the City on Tuesday,
6 the 2nd day of June 2026, for the purpose of submitting to the electors of the City a
7 proposition to incur bonded indebtedness of the City for the project described in the amount
8 and for the purposes stated:

9 "SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND,
10 2026. \$535,000,000 of bonded indebtedness be adopted to improve fire, earthquake, and
11 emergency response by retrofitting, improving, expanding, constructing, and/or replacing:
12 deteriorating pipes, tunnels, and related facilities to ensure firefighters can access enough
13 water to fight fires from a major disaster or emergency; unsafe or deteriorating emergency
14 response facilities, including neighborhood fire stations, critical transportation facilities, and
15 public safety facilities; and to pay related costs, with a duration up to 30 years from the time of
16 issuance, an estimated tax rate of \$7.45/\$100,000 of assessed property value, and estimated
17 annual revenues of \$35,900,000, subject to independent citizen oversight and regular audits;
18 and authorizing landlords to pass-through to residential tenants in units subject to Chapter 37
19 of the Administrative Code ("Residential Stabilization and Arbitration Ordinance") 50% of the
20 increase, if any, in the real property taxes attributable to the cost of the repayment of the
21 bonds."

22 The special election called and ordered shall be referred to in this ordinance as the
23 "Bond Special Election."
24
25

1 Section 3. PROPOSED PROGRAM. All contracts that are funded with the proceeds of
2 bonds authorized hereby shall be subject to the provisions of Chapter 83 of the Administrative
3 Code (“First Source Hiring Program”), which fosters construction and permanent employment
4 opportunities for qualified economically disadvantaged individuals. In addition, all contracts
5 that are funded with the proceeds of bonds authorized hereby also shall be subject to the
6 provisions of Chapter 14B of the Administrative Code (“Local Business Enterprise and Non-
7 Discrimination in Contracting Ordinance”), which assists small and micro local businesses to
8 increase their ability to compete effectively for the award of City contracts. The proposed
9 program can be summarized as follows:

10 A. EMERGENCY FIREFIGHTING WATER SYSTEM. Up to \$130,000,000 of the
11 Bond shall be allocated to the renovation, seismic upgrading, improvement, or expansion of
12 the emergency firefighting water system (“EFWS”) and related facilities, including but not
13 limited to cisterns, pipes and tunnels, and related facilities (collectively, the “EFWS Project”).

14 B. FIREFIGHTING FACILITIES AND INFRASTRUCTURE. Up to \$100,000,000 of
15 the Bond shall be allocated to the construction, acquisition, improvement, renovation,
16 retrofitting, or replacement of critical firefighting facilities and infrastructure for earthquake
17 safety and emergency response, including without limitation, neighborhood fire stations, and
18 supporting facilities (collectively, the “Firefighting Facilities and Infrastructure”).

19 C. POLICE FACILITIES AND INFRASTRUCTURE. Up to \$72,000,000 of the Bond
20 shall be allocated to the construction, acquisition, improvement, renovation, retrofitting, or
21 replacement of police facilities and infrastructure for earthquake safety and emergency
22 response, including without limitation, neighborhood police stations and supporting facilities
23 (collectively, the “Police Facilities and Infrastructure”).

24 D. MUNICIPAL RAILWAY BUS STORAGE AND MAINTENANCE FACILITY AT
25 POTRERO YARD. Up to \$200,000,000 of the Bond shall be allocated to construct, acquire,

1 improve, replace, or retrofit critical transportation facilities and infrastructure, including
2 replacing the existing Potrero Yard, a 110-year-old, bus storage and maintenance facility that
3 is seismically unsafe and outmoded with a seismically resilient facility designed to store and
4 maintain Municipal Railway (“Muni”) vehicles and support continued transit operations after a
5 major earthquake (collectively, the “Muni Bus Storage and Maintenance Facility at Potrero
6 Yard”).

7 E. PUBLIC SAFETY FACILITIES AND INFRASTRUCTURE. Subject to a process
8 developed by the Office of Resilience of Capital Planning, and approval by the Capital
9 Planning Committee, up to \$33,000,000 of the Bond shall be allocated to the repair,
10 improvement, renovation or retrofitting of public safety facilities and infrastructure (collectively,
11 the “Public Safety Facilities and Infrastructure”).

12 F. CITIZEN'S OVERSIGHT COMMITTEE. A portion of the Bond shall be used to
13 perform audits of the Bond, as further described in Section 17.

14 The proposed uses described in this Section 3 are subject, without limitation, to review
15 and revision by the Mayor and the Board.

16 17 Section 4. BOND ACCOUNTABILITY MEASURES

18 The Bond shall include the following administrative rules and principles:

19 A. OVERSIGHT. The proposed bond funds shall be subjected to approval
20 processes and rules described in the Charter and Administrative Code. Pursuant to
21 Administrative Code Section 5.31, the Citizen’s General Obligation Bond Oversight
22 Committee shall conduct an annual review of bond spending and shall provide an annual
23 report of the bond program to the Mayor and the Board of Supervisors.

24 B. TRANSPARENCY. The City shall create and maintain a Web page outlining and
25 describing the bond program, progress, and activity updates. The City shall hold an annual

1 public hearing and review on the bond program and its implementation before the Capital
2 Planning Committee. The City shall also hold periodic public hearings and reviews on the
3 bond program and its implementation before the Police and Fire Commissions and the
4 Citizen's General Obligation Bond Oversight Committee.

5
6 Section 5. The estimated cost of the bond financed portion of the project described in
7 Section 2 above was fixed by the Board by the following resolution and in the amount
8 specified below:

9 Resolution No. _____, \$535,000,000.

10 Such resolution was passed by two-thirds or more of the Board and approved by the
11 Mayor. In such resolution it was recited and found by the Board that the sum of money
12 specified is too great to be paid out of the ordinary annual income and revenue of the City in
13 addition to the other annual expenses or other funds derived from taxes levied for those
14 purposes and will require expenditures greater than the amount allowed by the annual tax
15 levy.

16 The method and manner of payment of the estimated costs described in this ordinance
17 are by the issuance of bonds of the City not exceeding the principal amount specified.

18 Such estimate of costs as set forth in such resolution is adopted and determined to be
19 the estimated cost of such bond-financed improvements and financing, as designed to date.

20
21 Section 6. The Bond Special Election shall be held and conducted and the votes
22 received and canvassed, and the returns made and the results ascertained, determined and
23 declared as provided in this ordinance and in all particulars not recited in this ordinance such
24 election shall be held according to the laws of the State of California ("State") and the Charter
25 of the City ("Charter") and any regulations adopted under State law or the Charter, providing

1 for and governing elections in the City, and the polls for such election shall be and remain
2 open during the time required by such laws and regulations.

3
4 Section 7. The Bond Special Election is consolidated with the General Election
5 scheduled to be held in the City on Tuesday, June 2, 2026. The voting precincts, polling
6 places and officers of election for the June 2, 2026 General Election are hereby adopted,
7 established, designated and named, respectively, as the voting precincts, polling places and
8 officers of election for the Bond Special Election called, and reference is made to the notice of
9 election setting forth the voting precincts, polling places and officers of election for the June 2,
10 2026 General Election by the Director of Elections to be published in the official newspaper of
11 the City on the date required under the laws of the State of California.

12
13 Section 8. The ballots to be used at the Bond Special Election shall be the ballots to
14 be used at the June 2, 2026, General Election. The word limit for ballot propositions imposed
15 by Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond
16 Special Election, in addition to any other matter required by law to be printed thereon, shall
17 appear the following as a separate proposition:

18
19 “SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND,
20 2026. To improve fire, earthquake, and emergency response by retrofitting, improving,
21 expanding, constructing, and/or replacing: deteriorating pipes, tunnels, and related facilities to
22 ensure firefighters can access enough water to fight fires from a major disaster or emergency;
23 unsafe or deteriorating emergency response facilities, including neighborhood fire stations,
24 critical transportation facilities, and public safety facilities; and to pay related costs, shall the
25 City and County of San Francisco’s issuance of \$535,000,000 in general obligation bonds be

1 adopted, with a duration up to 30 years from the time of issuance, an estimated average tax
2 rate of \$7.45/\$100,000 of assessed property value, and estimated average annual revenues
3 of \$35,900,000, subject to independent citizen oversight and regular audits?

4 The City's current debt management policy is to keep the property tax rate for City
5 general obligation bonds below the 2006 tax rate by issuing new bonds as older ones are
6 retired and the tax base grows, though this property tax rate may vary based on other factors."

7
8 Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark
9 the ballot in the location corresponding to a "YES" vote for the proposition, and to vote against
10 the proposition shall mark the ballot in the location corresponding to a "NO" vote for the
11 proposition.

12
13 Section 9. If at the Bond Special Election it shall appear that two-thirds of all the voters
14 voting on the proposition voted in favor of and authorized the incurring of bonded
15 indebtedness for the purposes set forth in such proposition, then such proposition shall have
16 been accepted by the electors, and bonds authorized shall be issued upon the order of the
17 Board. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

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

21 Section 10. The actual expenditure of Bond proceeds provided in this Ordinance shall
22 be net of financing costs.

23 Section 11. For the purpose of paying the principal and interest on the bonds, the
24 Board shall, at the time of fixing the general tax levy and in the manner provided by law, levy
25 and collect annually each year until such bonds are paid, or until there is a sum in the

1 Treasury of said City, or other account held on behalf of the Treasurer of said City, set apart
2 for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax
3 sufficient to pay the annual interest on such bonds as the same becomes due and also such
4 part of the principal thereof as shall become due before the proceeds of a tax levied at the
5 time for making the next general tax levy can be made available for the payment of such
6 principal.

7
8 Section 12. This ordinance shall be published in accordance with any State law
9 requirements, and such publication shall constitute notice of the Bond Special Election, and
10 no other notice of the Bond Special Election hereby called need be given.

11
12 Section 13. In accordance with Chapter 37 of the Administrative Code, landlords are
13 hereby authorized to pass-through 50% of the resulting property tax increase, if any, to
14 residential tenants if the proposed measure is approved by two-thirds of the all the voters
15 voting on the measure.

16
17 Section 14. The Board, having reviewed the proposed legislation, makes the following
18 findings in compliance with the California Environmental Quality Act ("CEQA"), California
19 Public Resources Code Sections 21000 et seq., the CEQA Guidelines, 14 California Code of
20 Regulations Sections 15000 et seq., ("CEQA Guidelines"), and Administrative Code Chapter
21 31 ("Chapter 31"):

22 (i) EFWS Project. For the reasons set forth in the letter from the
23 Environmental Review Officer of the Planning Department, dated _____, a copy of
24 which is on file with the Clerk of the Board in File No. _____ and incorporated by reference,
25 the Board finds that the bond proposal as it relates to funds for the EFWS Project is not

1 subject to CEQA, because the establishment of a government financing mechanism that does
2 not involve any commitment to specific projects to be constructed with the funds is not a
3 project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance
4 any project or portion of any project with funds for the EFWS Project portion of the Bond will
5 be subject to approval of the Board upon completion of planning and any further required
6 environmental review under CEQA for the individual EFWS projects.

7 (ii) Firefighting Facilities and Infrastructure. For the reasons set forth in the
8 letter from the Environmental Review Officer of the Planning Department, dated
9 _____, a copy of which is on file with the Clerk of the Board in File No. _____
10 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for
11 Firefighting Facilities and Infrastructure is not subject to CEQA, because the establishment of
12 a government financing mechanism that does not involve any commitment to specific projects
13 to be constructed with the funds is not a project as defined by CEQA and the CEQA
14 Guidelines. The use of bond proceeds to finance any project or portion of any project with
15 funds for the Firefighting Facilities and Infrastructure portion of the Bond will be subject to
16 approval of the Board upon completion of planning and any further required environmental
17 review under CEQA for the individual Firefighting Facilities and Infrastructure projects.

18 (iii) Police Facilities and Infrastructure. For the reasons set forth in the letter
19 from the Environmental Review Officer of the Planning Department, _____ a
20 copy of which is on file with the Clerk of the Board in File No. _____ and
21 incorporated by reference, the Board finds that the bond proposal as it relates to funds for
22 Police Facilities and Infrastructure is not subject to CEQA, because the establishment of a
23 government financing mechanism that does not involve any commitment to specific projects to
24 be constructed with the funds is not a project as defined by CEQA and the CEQA Guidelines.
25 The use of bond proceeds to finance any project or portion of any project with funds for the

1 Police Facilities and Infrastructure portion of the Bond will be subject to approval of the Board
2 upon completion of planning and any further required environmental review under CEQA for
3 the individual Police Facilities and Infrastructure projects.

4 (iv) Muni Bus Storage and Maintenance Facility at Potrero Yard. The Muni
5 Bus Storage and Maintenance Facility at Potrero Yard refers to the “modified project”
6 described in the Memorandum to File for the Potrero Yard Modernization Project (2500
7 Mariposa Street), Case No. 2019-021884ENV, dated October 25, 2024 (the “Memorandum to
8 File”), a copy of which is on file with the Clerk of the Board of Supervisors in File No.
9 _____, and hereby incorporated by reference. The Muni Bus Storage and
10 Maintenance Facility at Potrero Yard project is a portion of the Potrero Yard Modernization
11 Project that was described and analyzed in the Final Environmental Impact Report for the
12 Potrero Yard Modernization Project (“FEIR”) that the San Francisco Planning Commission
13 certified as adequate, accurate, and complete on January 11, 2024, by Motion No. 21482, a
14 copy of which is on file with the Clerk of the Board of Supervisors in File No. 231256 and
15 incorporated by reference, pursuant to CEQA, the CEQA Guidelines, and Chapter 31 of the
16 San Francisco Administrative Code. On January 11, 2024, by Motion No. 21483, a copy of
17 which is on file with the Clerk of the Board of Supervisors in File No. 240047 and incorporated
18 by reference, the Planning Commission, based on substantial evidence in the entire recording
19 of proceedings, made certain findings regarding the environmental impacts of the Potrero
20 Yard Modernization Project that was analyzed in the FEIR, rejected alternatives as infeasible,
21 adopted the proposed mitigation monitoring and reporting program (“MMRP”), on file with the
22 Board in File No. 240047 and incorporated by reference, and set forth a “Statement of
23 Overriding Considerations” explaining why the benefits of the Project outweigh the
24 unavoidable adverse environmental effects identified in the FEIR and that those adverse
25 environmental effects are therefore acceptable.

1 On March 12, 2024, by Ordinance No. 57-24 passed by the Board of Supervisors on
2 March 12, 2024, and signed by the Mayor on March 22, 2024, a copy of which is on file with
3 the Clerk of the Board of Supervisors in File No. 240047 and incorporated by reference, the
4 Board of Supervisors, having reviewed the FEIR, concurred with the Planning Commission's
5 conclusions regarding the FEIR and affirmed the Planning Commission's certification of the
6 FEIR. In addition, in Ordinance No. 57-24, the Board of Supervisors adopted and
7 incorporated by reference the CEQA findings that the Planning Commission adopted in
8 Motion No. 21483 including the Statement of Overriding Considerations and the MMRP. On
9 March 22, 2024, the Mayor approved Ordinance No. 57-24.

10 On October 25, 2024, the Planning Department issued the Memorandum to File, which
11 reviewed proposed modifications to the Potrero Yard Modernization Project including a net
12 increase of 33 buses, altered striping on the second level of the replacement transit facilities,
13 the conversion of 67 of the 60-foot bus parking spaces to 100 40-foot bus parking spaces, and
14 301 additional bus operators, and found that the modified project would not cause new
15 significant impacts or result in a substantial increase in the severity of the impacts identified in
16 the FEIR, and no new or revised mitigation measures would be required. In the Memorandum
17 to File, the Planning Department determined that no additional environmental review is
18 necessary for the reasons set forth in the Memorandum to File and that the Memorandum to
19 File provides sufficient documentation that the modified project does not warrant additional
20 environmental review. The "CEQA Findings" shall refer to the CEQA findings included in the
21 Motion No. 21482, Motion No. 21483, Statement of Overriding Considerations, Ordinance No.
22 57-24, and the Memorandum to File, all as described in this Section 3(iv).

23 (a) The Board has reviewed and considered the FEIR, the MMRP, the
24 Memorandum to File, and the record as a whole and incorporates the CEQA Findings by this
25 reference.

1 (b) The Board finds that the FEIR is adequate for its use as the
2 decision-making body for approval of this ordinance.

3 (c) The Board hereby adopts as its own the preceding CEQA Findings
4 including the Statement of Overriding Considerations.

5 (d) The Board further finds that since the FEIR was finalized, there
6 have been no substantial project changes and no substantial changes in project
7 circumstances that would require major revisions to the FEIR due to the involvement of new
8 significant environmental effects or an increase in the severity of previously identified
9 significant impacts, and there is no new information of substantial importance that would
10 change the conclusions set forth in the FEIR.

11 (e) In accordance with CEQA, the Board has considered the mitigation
12 measures described in the FEIR and hereby requires that the MMRP be imposed as
13 conditions on the implementation of the Muni Bus Storage and Maintenance Facility at Potrero
14 Yard project approved by the ordinance submitting this bond to the voters.

15 (f) With the implementation of the mitigation measures contained in
16 the MMRP, any potential environmental impacts resulting from the Muni Bus Storage and
17 Maintenance Facility at Potrero Yard project will be less than significant as described in the
18 FEIR.

19 (g) Based on the FEIR, the Memorandum to File, and the record as a
20 whole including all written materials and any oral testimony received by the Board for the
21 Potrero Yard Modernization Project, the Board hereby finds that the FEIR reflects the
22 independent judgment and analysis of the Planning Department and the Board, is adequate
23 and complete, and there is no substantial evidence that the proposed Muni Bus Storage and
24 Maintenance Facility at Potrero Yard project, given the implementation of the mitigation
25 measures as stated in the FEIR and the adoption of the MMRP, could have a significant effect

1 on the environment as shown in the analysis of the FEIR. The Board hereby adopts the FEIR
2 and the MMRP.

3 (v) Public Safety Facilities and Infrastructure. For the reasons set forth in the
4 letter from the Environmental Review Officer of the Planning Department, dated
5 _____, a copy of which is on file with the Clerk of the Board in File No. _____
6 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for
7 Public Safety Facilities and Infrastructure is not subject to CEQA, because the establishment
8 of a government financing mechanism that does not involve any commitment to specific
9 projects to be constructed with the funds is not a project as defined by CEQA and the CEQA
10 Guidelines. The use of bond proceeds to finance any project or portion of any project with
11 funds for the Public Safety Facilities and Infrastructure portion of the Bond will be subject to
12 approval of the Board upon completion of planning and any further required environmental
13 review under CEQA for the individual Public Safety Facilities and Infrastructure projects.
14

15 Section 15. The Board finds and declares that the proposed Bond is (i) in conformity
16 with the priority policies of Section 101.1(b) of the Planning Code, (ii) in accordance with
17 Section 4.105 of the Charter and Section 2A.53(f) of the Administrative Code, and (iii)
18 consistent with the City's General Plan, and adopts the findings of the Planning Department,
19 as set forth in the General Plan Referral Report dated _____, a copy of which is on
20 file with the Clerk of the Board in File No. _____ and incorporates such findings
21 by reference.
22

23 Section 16. Under Section 53410 of the California Government Code, the bonds shall
24 be for the specific purpose authorized in this ordinance, and the proceeds of such bonds will
25

1 be applied only for such specific purpose. The City will comply with the requirements of
2 Sections 53410(c) and 53410(d) of the California Government Code.

3
4 Section 17. CITIZENS' OVERSIGHT COMMITTEE. The Bonds are subject to, and
5 incorporate by reference, the applicable provisions of Administrative Code Sections 5.30 –
6 5.36 ("Citizens' General Obligation Bond Oversight Committee"). Under Section 5.31 of the
7 Citizens' General Obligation Bond Oversight Committee, to the extent permitted by law, one-
8 tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund
9 established by the Controller's Office and appropriated by the Board of Supervisors at the
10 direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of
11 such committee.

12
13 Section 18. The time requirements specified in Section 2.34 of the Administrative
14 Code are waived.

15
16 Section 19. The City hereby declares its official intent to reimburse prior expenditures
17 of the City incurred or expected to be incurred prior to the issuance and sale of any series of
18 the Bonds in connection with the Project. The Board of Supervisors hereby declares the City's
19 intent to reimburse the City with the proceeds of the Bonds for expenditures with respect to
20 the Project ("Expenditures" and each, an "Expenditure") made on and after that date that is no
21 more than 60 days prior to the passage of this Ordinance. The City reasonably expects on the
22 date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

23 Each Expenditure was and will be either (a) of a type properly chargeable to a capital
24 account under general federal income tax principles (determined in each case as of the date
25 of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item

1 that is not customarily payable from current revenues, or (d) a grant to a party that is not
2 related to or an agent of the City so long as such grant does not impose any obligation or
3 condition (directly or indirectly) to repay any amount to or for the benefit of the City. The
4 maximum aggregate principal amount of the Bonds expected to be issued for the Project is
5 \$535,000,000. The City shall make a reimbursement allocation, which is a written allocation
6 by the City that evidences the City's use of proceeds of the applicable series of Bonds to
7 reimburse an Expenditure, no later than 18 months after the later of the date on which the
8 Expenditure is paid or the related portion of the Project is placed in service or abandoned, but
9 in no event more than three years after the date on which the Expenditure is paid. The City
10 recognizes that exceptions are available for certain "preliminary expenditures," costs of
11 issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of
12 issuance and not the year of expenditure) and Expenditures for construction projects of at
13 least 5 years.

14
15 Section 20. The appropriate officers, employees, representatives and agents of the
16 City are hereby authorized and directed to do everything necessary or desirable to accomplish
17 the calling and holding of the Bond Special Election, and to otherwise carry out the provisions
18 of this ordinance.

19
20 Section 21. Documents referenced in this ordinance are on file with the Clerk of the
21 Board of Supervisors in File No. _____, which is hereby declared to be a part of
22 this ordinance as if set forth fully herein.

23
24 Section 22. Effective Date. This ordinance shall become effective immediately upon
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ MARK D. BLAKE
7 MARK D. BLAKE
8 Deputy City Attorney
9 4907-2849-7534, v. 1
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LEGISLATIVE DIGEST

[General Obligation Bond Election - Earthquake Safety and Emergency Response - Not to Exceed \$535,000,000]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 2, 2026, for the purpose of submitting to San Francisco voters a proposition to incur bonded indebtedness of up to \$535,000,000 to finance the construction, acquisition, improvement, rehabilitation, renovation, expansion, and seismic retrofitting of the Emergency Firefighting Water System, Firefighting Facilities and Infrastructure, Police Facilities and Infrastructure, transportation facilities for the Municipal Railway Bus Storage and Maintenance Facility at Potrero Yard, and other Public Safety Facilities and Infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes (collectively, the “ESER Facilities”); authorizing landlords to pass-through 50% of the resulting property tax increase, if any, to residential tenants in accordance with Chapter 37 of the Administrative Code; finding that the estimated cost of such proposed ESER Facilities is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed ESER Facilities; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that portions of the bond proposal are not a “project” under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the bond proposal; finding that the bond proposal is in conformity with the eight priority policies of Planning Code, Section 101.1(b) and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the Administrative Code, Sections 5.30–5.36; and waiving the time requirements specified in Section 2.34 of the Administrative Code.

Existing Law

This is new law.

Background Information

To safeguard and enhance the City's earthquake safety and emergency response and recovery the City must provide for the rehabilitation and improvement of critical facilities that support the City's first responders and provide reliable public transportation after a major seismic event.

The proposed Ordinance provides for a special election to be held June 2, 2026, to authorize the issuance of up to \$535,000,000 of the City's General Obligation Bonds ("Bonds"). Proceeds of the Bonds will be applied to finance the cost of the construction, acquisition, improvement, rehabilitation, renovation, expansion, and seismic retrofitting of the Emergency Firefighting Water System, Firefighting Facilities and Infrastructure, Police Facilities and Infrastructure, transportation facilities for the Municipal Railway ("Muni") Bus Storage and Maintenance Facility at Potrero Yard, and other Public Safety Facilities and Infrastructure for earthquake and public safety and related costs necessary or convenient for the foregoing purposes (collectively, the "ESER Facilities").

Bonds proceeds are expected to be allocated as follows:

- **Emergency Firefighting Water System.** Up to \$130,000,000 of Bond proceeds will be allocated to the renovation, seismic upgrading, improvement, or expansion of the emergency firefighting water system and related facilities, including but not limited to cisterns, pipes and tunnels, and related facilities.
- **Firefighting Facilities and Infrastructure.** Up to \$100,000,000 of Bond proceeds will be allocated to the construction, acquisition, improvement, renovation, retrofitting, or replacement of critical firefighting facilities and infrastructure for earthquake safety and emergency response, including without limitation, neighborhood fire stations, and supporting facilities.
- **Police Facilities and Infrastructure.** Up to \$72,000,000 of Bond proceeds will be allocated to the construction, acquisition, improvement, renovation, retrofitting, or replacement of police facilities and infrastructure for earthquake safety and emergency response, including without limitation, neighborhood police stations and supporting facilities.
- **Muni Bus Storage and Maintenance Facility at Potrero Yard.** Up to \$200,000,000 of Bond proceeds will be allocated to construct, acquire, improve,

replace, or retrofit critical transportation facilities and infrastructure, including replacing the existing Potrero Yard, a 110-year-old, bus storage and maintenance facility that is seismically unsafe and outmoded with a seismically resilient facility designed to store and maintain Muni vehicles and support continued transit operations after a major earthquake.

- **Public Safety Facilities and Infrastructure.** Up to \$33,000,000 of Bond proceeds will be allocated to the repair, improvement, renovation or retrofitting of public safety facilities and infrastructure. A process will be developed by the Office of Resilience of Capital Planning to designate facilities eligible for financing, such projects subject to approval by the Capital Planning Committee.

Pursuant to Administrative Code Section 5.31, the Citizen's General Obligation Bond Oversight Committee will conduct an annual review of Bond spending and will provide an annual report of the Bond program to the Mayor and the Board of Supervisors.

In addition, the City is required to create and maintain a web page outlining and describing the bond program, progress, and activity updates, and hold an annual public hearing and review on the bond program and its implementation before the Capital Planning Committee. The City will also hold periodic public hearings and reviews on the bond program and its implementation before the Police and Fire Commissions and the Citizen's General Obligation Bond Oversight Committee.

1 [General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed
2 \$535,000,000]

3 **Resolution determining and declaring that the public interest and necessity demand**
4 **the construction, acquisition, improvement, rehabilitation, expansion, renovation, and**
5 **seismic retrofitting of the Emergency Firefighting Water System, Firefighting Facilities**
6 **and Infrastructure, Police Facilities and Infrastructure, transportation facilities for the**
7 **Municipal Railway Bus Storage and Maintenance Facility at Potrero Yard, and other**
8 **Public Safety Facilities and Infrastructure for earthquake and public safety and related**
9 **costs necessary or convenient for the foregoing purposes (collectively, the “ESER**
10 **Facilities”); authorizing landlords to pass-through 50% of the resulting property tax**
11 **increase, if any, to residential tenants in accordance with Chapter 37 of the**
12 **Administrative Code; finding that the estimated cost of \$535,000,000 for the proposed**
13 **ESER Facilities is and will be too great to be paid out of the ordinary annual income**
14 **and revenue of the City and County and will require expenditures greater than the**
15 **amount allowed therefore by the annual tax levy; finding that portions of the bond**
16 **proposal are not a “project” under the California Environmental Quality Act (CEQA)**
17 **and adopting findings under CEQA for the remaining portion of the bond proposal;**
18 **finding that the proposed bond is in conformity and consistent with the General Plan,**
19 **and the eight priority policies of Planning Code, Section 101.1(b); and waiving the time**
20 **requirements specified in Section 2.34 of the Administrative Code.**

21
22 WHEREAS, Based on the 2014 Uniform California Rupture Forecast, the United States
23 Geological Survey (“U.S.G.S.”) estimates a 72% chance that one or more earthquakes of a
24 magnitude of 6.7 or larger will occur in the Bay Area before the year 2042; and

25 WHEREAS, The U.S.G.S. predicts that a large earthquake occurring today on the San

1 Andreas or Hayward Fault would likely cause hundreds of deaths and billions of dollars in
2 damage; and

3 WHEREAS, A large magnitude earthquake would damage critical City and County of
4 San Francisco ("City") facilities and infrastructure, thereby compromising the capacity of first
5 responders, including fire and police personnel, to respond effectively; and

6 WHEREAS, With adequate funding, the City can undertake to "harden" and make more
7 resilient critical infrastructure to mitigate the potential loss of life, damage, and the loss of
8 economic activity resulting from a large magnitude earthquake; and

9 WHEREAS, With adequate funding the City can renovate, seismically upgrade,
10 improve, and expand the emergency firefighting water system ("EFWS") and related facilities,
11 including but not limited to cisterns, pipes and tunnels, and related facilities (collectively, the
12 "EFWS Project"); and

13 WHEREAS, With adequate funding the City can construct, acquire, improve, renovate,
14 retrofit, and replace critical firefighting facilities and infrastructure for earthquake safety and
15 emergency response including without limitation, neighborhood fire stations and related
16 facilities (collectively, the "Firefighting Facilities and Infrastructure"); and

17 WHEREAS, With adequate funding the City can construct, acquire, improve, renovate,
18 retrofit, and replace police facilities and infrastructure for earthquake safety and emergency
19 response including without limitation, neighborhood police stations and related facilities
20 (collectively, the "Police Facilities and Infrastructure"); and

21 WHEREAS, With adequate funding the City can construct, acquire, or retrofit critical
22 transportation facilities and infrastructure, including replacing the existing Municipal Railway
23 ("Muni") Potrero Yard, a 110-year-old, bus storage and maintenance facility that is seismically
24 unsafe and outmoded, with a seismically resilient facility designed to store and maintain Muni
25 vehicles and support continued transit operations after a major earthquake (collectively, the

1 “Muni Bus Storage and Maintenance Facility at Potrero Yard”); and

2 WHEREAS, With adequate funding the City can repair, improve, renovate, or retrofit of
3 the City’s critical public safety facilities (collectively, the “Public Safety Facilities and
4 Infrastructure”); and

5 WHEREAS, The proposed Earthquake Safety and Emergency Response General
6 Obligation Bond ("Bond") will provide necessary funding for the EFWS Project, Firefighting
7 Facilities and Infrastructure, Police Facilities and Infrastructure, Muni Bus Storage and
8 Maintenance Facility at Potrero Yard, and Public Safety Facilities and Infrastructure; and

9 WHEREAS, The Board of Supervisors (“Board”) recognizes the need to safeguard and
10 enhance the City's earthquake and emergency response, resilience, and recovery by
11 improving, retrofitting, expanding, and rehabilitating critical facilities that support the City's first
12 responders, and maintain Muni service after a major seismic event; now, therefore, be it

13 RESOLVED, By the Board as follows:

14 Section 1. The Board determines and declares that the public interest and necessity
15 demand the construction, acquisition, improvement, renovation, completion, and seismic
16 retrofitting of the EFWS Project, Firefighting Facilities and Infrastructure, Police Facilities and
17 Infrastructure, Muni Bus Storage and Maintenance Facility at Potrero Yard, and Public Safety
18 Facilities and Infrastructure, and the payment of related costs necessary or convenient for the
19 foregoing purposes.

20 Section 2. The estimated cost of \$535,000,000 of the Bond is and will be too great to
21 be paid out of the ordinary annual income and revenue of the City, will require an expenditure
22 greater than the amount allowed by the annual tax levy, and will require the incurrence of
23 bonded indebtedness in an amount not to exceed \$535,000,000.

24 Section 3. The Board, having reviewed the proposed legislation, makes the following
25 findings in compliance with the California Environmental Quality Act (“CEQA”), California

Public Resources Code, Sections 21000 et seq., the CEQA Guidelines, 14 California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines"), and Administrative Code, Chapter 31 ("Chapter 31"):

(i) EFWS Project. For the reasons set forth in the letter from the Environmental Review Officer of the Planning Department, dated _____, a copy of which is on file with the Clerk of the Board in File No. _____ and incorporated by reference, the Board finds that the bond proposal as it relates to funds for the EFWS Project is not subject to CEQA, because the establishment of a government financing mechanism that does not involve any commitment to specific projects to be constructed with the funds is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the EFWS Project portion of the Bond will be subject to approval of the City upon completion of planning and any further required environmental review under CEQA for the individual EFWS projects.

(ii) Firefighting Facilities and Infrastructure. For the reasons set forth in the letter from the Environmental Review Officer of the Planning Department, dated _____, a copy of which is on file with the Clerk of the Board in File No. _____ and incorporated by reference, the Board finds that the bond proposal as it relates to funds for Firefighting Facilities and Infrastructure is not subject to CEQA, because the establishment of a government financing mechanism that does not involve any commitment to specific projects to be constructed with the funds is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the Firefighting Facilities and Infrastructure portion of the Bond will be subject to approval of the City upon completion of planning and any further required environmental review under CEQA for the individual Firefighting Facilities and Infrastructure projects.

(iii) Police Facilities and Infrastructure. For the reasons set forth in the letter from the

1 Environmental Review Officer of the Planning Department, dated _____, a copy
2 of which is on file with the Clerk of the Board in File No. _____ and incorporated
3 by reference, the Board finds that the bond proposal as it relates to funds for Police Facilities
4 and Infrastructure is not subject to CEQA, because the establishment of a government
5 financing mechanism that does not involve any commitment to specific projects to be
6 constructed with the funds is not a project as defined by CEQA and the CEQA Guidelines.
7 The use of bond proceeds to finance any project or portion of any project with funds for the
8 Police Facilities and Infrastructure portion of the Bond will be subject to approval of the City
9 upon completion of planning and any further required environmental review under CEQA for
10 the individual Police Facilities and Infrastructure projects.

11 (iv) Muni Bus Storage and Maintenance Facility at Potrero Yard. The Muni Bus
12 Storage and Maintenance Facility at Potrero Yard refers to the “modified project” described in
13 the Memorandum to File for the Potrero Yard Modernization Project (2500 Mariposa Street),
14 Case No. 2019-021884ENV, dated October 25, 2024 (“Memorandum to File”), a copy of
15 which is on file with the Clerk of the Board in File No. _____ and incorporated
16 by reference. The Muni Bus Storage and Maintenance Facility at Potrero Yard project is a
17 portion of the Potrero Yard Modernization Project that was described and analyzed in the
18 Final Environmental Impact Report for the Potrero Yard Modernization Project (“FEIR”), a
19 copy of which is on file with the Clerk of the Board of Supervisors in File No. 231256 and
20 incorporated by reference, that the Planning Commission certified as adequate, accurate, and
21 complete on January 11, 2024, by Motion No. 21482, a copy of which is on file with the Clerk
22 of the Board in File No. 231256 and incorporated by reference, pursuant to CEQA, the CEQA
23 Guidelines, and Chapter 31 of the Administrative Code. On January 11, 2024, by Motion No.
24 21483, a copy of which is on file with the Clerk of the Board in File No. 240047 and
25 incorporated by reference, the Planning Commission, based on substantial evidence in the

1 entire recording of proceedings, made certain findings regarding the environmental impacts of
2 the Potrero Yard Modernization Project that was analyzed in the FEIR, rejected alternatives
3 as infeasible, adopted the proposed mitigation monitoring and reporting program (“MMRP”),
4 and set forth a “Statement of Overriding Considerations” explaining why the benefits of the
5 project outweigh the unavoidable adverse environmental effects identified in the FEIR and
6 that those adverse environmental effects are therefore acceptable.

7 On March 12, 2024, by Ordinance No. 57-24 passed by the Board of Supervisors on
8 March 12, 2024, and signed by the Mayor on March 22, 2024, a copy of which is on file with
9 the Clerk of the Board of Supervisors in File No. 240047, the Board of Supervisors, having
10 reviewed the FEIR, concurred with the Planning Commission’s conclusions regarding the
11 FEIR and affirmed the Planning Commission's certification of the FEIR. In addition, in
12 Ordinance No. 57-24, the Board of Supervisors adopted and incorporated by reference the
13 CEQA findings that the Planning Commission adopted in Motion No. 21483 including the
14 Statement of Overriding Considerations and the MMRP. On March 22, 2024, the Mayor
15 approved Ordinance No. 57-24.

16 On October 25, 2024, the Planning Department issued the Memorandum to File, which
17 reviewed proposed modifications to the Potrero Yard Modernization Project including a net
18 increase of 33 buses, altered striping on the second level of the replacement transit facilities,
19 the conversion of 67 of the 60-foot bus parking spaces to 100 40-foot bus parking spaces, and
20 301 additional bus operators, and found that the modified project would not cause new
21 significant impacts or result in a substantial increase in the severity of the impacts identified in
22 the FEIR, and no new or revised mitigation measures would be required. In the Memorandum
23 to File, the Planning Department determined that no additional environmental review is
24 necessary for the reasons set forth in the Memorandum to File and that the Memorandum to
25 File provides sufficient documentation that the modified project does not warrant additional

1 environmental review. The “CEQA Findings” shall refer to the CEQA findings included in the
2 Motion No. 21482, Motion No. 21483, the Statement of Overriding Considerations, Ordinance
3 No. 57-24, and the Memorandum to File, all as described in this Section 3(iv).

4 (a) The Board has reviewed and considered the FEIR, the MMRP, the
5 Memorandum to File, and the record as a whole and incorporates the CEQA Findings by this
6 reference.

7 (b) The Board finds that the FEIR is adequate for its use as the decision-
8 making body for approval of this Resolution.

9 (c) The Board hereby adopts as its own the preceding CEQA Findings
10 including the Statement of Overriding Considerations.

11 (d) The Board further finds that since the FEIR was finalized, there have
12 been no substantial project changes and no substantial changes in project circumstances that
13 would require major revisions to the FEIR due to the involvement of new significant
14 environmental effects or an increase in the severity of previously identified significant impacts,
15 and there is no new information of substantial importance that would change the conclusions
16 set forth in the FEIR.

17 (e) In accordance with CEQA, the Board has considered the mitigation
18 measures described in the FEIR and hereby requires that the MMRP be imposed as
19 conditions on the implementation of the Muni Bus Storage and Maintenance Facility at Potrero
20 Yard project approved by the ordinance submitting this bond to the voters.

21 (f) With the implementation of the mitigation measures contained in the
22 MMRP, any potential environmental impacts resulting from the Muni Bus Storage and
23 Maintenance Facility at Potrero Yard project will be less than significant as described in the
24 FEIR.

25 (g) Based on the FEIR, the Memorandum to File, and the record as a whole

1 including all written materials and any oral testimony received by the Board for the Potrero
2 Yard Modernization Project, the Board hereby finds that the FEIR reflects the independent
3 judgment and analysis of the Planning Department and the Board, is adequate and complete,
4 and that there is no substantial evidence that the proposed Muni Bus Storage and
5 Maintenance Facility at Potrero Yard project, given the implementation of the mitigation
6 measures as stated in the FEIR and the adoption of the MMRP, could have a significant effect
7 on the environment as shown in the analysis of the FEIR. The Board hereby adopts the FEIR
8 and the MMRP on file with the Clerk of the Board.

9 (v) Public Safety Facilities and Infrastructure. For the reasons set forth in the from
10 the Environmental Review Officer of the Planning Department, dated _____, a
11 copy of which is on file with the Clerk of the Board in File No. _____ and incorporated by
12 reference, the Board finds that the bond proposal as it relates to funds for Public Safety
13 Facilities and Infrastructure is not subject to CEQA, because the establishment of a
14 government financing mechanism that does not involve any commitment to specific projects to
15 be constructed with the funds is not a project as defined by CEQA and the CEQA Guidelines.
16 Bond proceeds used to finance any project or portion of any project with funds for the Public
17 Safety Facilities and Infrastructure portion of the Bond will be subject to approval of the City
18 upon completion of planning and any further required environmental review under CEQA for
19 the individual Public Safety Facilities and Infrastructure projects.

20 Section 4. The Board finds and declares that the proposed Bond is (i) in conformity
21 with the eight priority policies of Section 101.1(b) of the Planning Code, (ii) in accordance with
22 Section 4.105 of the Charter and Section 2A.53(f) of the Administrative Code, and (iii)
23 consistent with the General Plan, and adopts the findings of the Planning Department, as set
24 forth in the General Plan Referral Report dated _____, a copy of which is on file
25 with the Clerk of the Board in File No. _____ and incorporates such findings by

1 reference.

2 Section 5. The time limit for approval of this resolution specified in Section 2.34 of the
3 Administrative Code is waived.

4 Section 6. In accordance with Chapter 37 of the Administrative Code, landlords are
5 hereby authorized to pass-through 50% of the resulting property tax increase, if any, to
6 residential tenants if the proposed measure is approved by two-thirds of voters voting on the
7 measure.

8 Section 7. Documents referenced in this Resolution are on file with the Clerk of the
9 Board of Supervisors in File No. _____, which is hereby declared to be a part of
10 this Resolution as if set forth fully herein.

11 Section 8. That this Resolution shall take effect upon its enactment. Enactment occurs
12 when the Mayor signs the Resolution, the Mayor returns the Resolution unsigned or does not
13 sign the Resolution within ten days of receiving it, or the Board of Supervisors overrides the
14 Mayor's veto of the Resolution.

15
16 APPROVED AS TO FORM:
17 DAVID CHIU, City Attorney

18
19 By: /s/ MARK D. BLAKE
20 MARK D. BLAKE
21 Deputy City Attorney
22 4936-3849-2798, v. 1
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25