

1 [Safe Streets and Road Repair General Obligation Bonds.]

2

3 **Resolution determining and declaring that the public interest and necessity demand**
4 **the resurfacing of roads, repair of sidewalks and street structures, and the redesign of**
5 **streetscapes to include curb ramps and other pedestrian safety features and the**
6 **payment of related costs necessary or convenient for the foregoing purposes; finding**
7 **that the estimated cost of \$388,000,000 for such improvements is and will be too great**
8 **to be paid out of the ordinary annual income and revenue of the City and County and**
9 **will require incurring bonded indebtedness; finding that the proposed bond is not a**
10 **project under the California Environmental Quality Act, ("CEQA"); finding the proposed**
11 **bond is in conformity with the priority policies of Planning Code Section 101.1(b) and**
12 **with the General Plan consistency requirement of Charter Section 4.105 and**
13 **Administrative Code Section 2A.53; and waiving the time limits set forth in**
14 **Administrative Code Section 2.34.**

15

16 WHEREAS, The City and County of San Francisco (the "City") has experienced a
17 significant decline in the condition of City streets, sidewalks and street structures,
18 accompanied by a projected decline in revenues available for such critical infrastructure
19 projects; and,

20 WHEREAS, City staff has identified a capital improvement need totaling \$388 million in
21 projects relating to road resurfacing, street structure repairs, curb ramp installations, sidewalk
22 repairs, and streetscape improvements, including utility undergrounding; and,

23 WHEREAS, Substandard and crumbling streets present hazards for pedestrians,
24 people with disabilities, cyclists, motorists and transit-riders; and,

25

1 WHEREAS, Deteriorating streets increase vehicle maintenance costs for motorists and
2 transit operators, and compromise the mobility of emergency response vehicles; and,

3 WHEREAS, With adequate funding the City can implement cost effective measures to
4 resurface streets before they fall into disrepair and before they must be reconstructed at a
5 much greater cost; and,

6 WHEREAS, Sidewalk improvements and curb ramps are essential to providing equal
7 access for people with disabilities to the City's network of streets and roads; and,

8 WHEREAS, Street structures such as tunnels, bridges, and stairways connect
9 residents to neighborhoods throughout the City and are in need of repair; and,

10 WHEREAS, The City's design of its streets and sidewalks does not maximize the City's
11 use of public spaces and rights- of- way; and,

12 WHEREAS, The redesign of the City's streets and sidewalks will accommodate the
13 increase in pedestrian and traffic volumes over the years; and,

14 WHEREAS, The redesign of the City's streetscapes through utility undergrounding will
15 also increase utility reliability and improve the aesthetic quality of surrounding neighborhoods;
16 and,

17 WHEREAS, Current transportation revenues are insufficient to address the capital
18 improvement need described above and the current needs of the City's roadway
19 infrastructure; and,

20 WHEREAS, The Safe Streets and Road Repair Bond (the "Bond") will improve the
21 condition of the City's streets, sidewalks, stairways, bridges, tunnels and related street
22 structures and enhance the usability and accessibility of the City's public rights-of-way through
23 the installation of curb ramps, pedestrian and bicycle safety features, and through the
24 redesign of City streetscapes, including utility undergrounding; and,

25

1 WHEREAS, The Bond is recommended by the City's 10-year capital plan (the "Plan"),
2 which is approved each year by the Mayor of the City and the Board of Supervisors of the City
3 (the "Board"); and,

4 WHEREAS, The Board recognizes the need to enhance and improve public safety for
5 pedestrians, cyclists, motorists, people with disabilities and transit-riders and to provide stable
6 and reliable funding for road, sidewalk and street infrastructure; now, therefore, be it

7 RESOLVED, By the Board:

8 Section 1. The Board determines and declares that the public interest and necessity
9 demand the resurfacing of roads, repair of sidewalks and street structures, and the redesign
10 of streetscapes to include utility undergrounding, curb ramps and other pedestrian safety
11 features, and the payment of related costs necessary or convenient for the foregoing
12 purposes.

13 Section 2. The estimated cost of \$388,000,000 of the Bond is and will be too great to
14 be paid out of the ordinary annual income and revenue of the City, will require an expenditure
15 greater than the amount allowed by the annual tax levy, and will require the incurrence of
16 bonded indebtedness in an amount not to exceed \$388,000,000.

17 Section 3. The Board, having reviewed the proposed legislation, finds and declares for
18 the reasons set forth in the letter from the City Planning Department, dated April 29, 2009, a
19 copy of which is on file with the Clerk of the Board in File No. _____ and incorporated by
20 reference, that the Bond proposal is not subject to the California Environmental Quality Act
21 ("CEQA") because as the establishment of a government financing mechanism that does not
22 identify individual specific projects to be constructed with the funds it is not a project as
23 defined by CEQA and the CEQA Guidelines. The use of Bond proceeds to finance any
24 project or portion of any project will be subject to approval of the Board upon completion of
25

1 planning and any further required environmental review under CEQA for those individual
2 projects.

3 Section 4. The Board finds and declares that the proposed Bond is (i) in conformity
4 with the priority policies of Section 101.1(b) of the City Planning Code, (ii) in accordance with
5 Section 4.105 of the San Francisco Charter and Section 2A.53(f) of the City Administrative
6 Code, and (iii) consistent with the City's General Plan, and adopts the findings of the City
7 Planning Department, as set forth in the General Plan Referral Report dated April 29, 2009, a
8 copy of which is on file with the Clerk of the Board in File No. _____ and incorporates such
9 findings by reference.

10 Section 5. The time limit for approval of this resolution specified in Section 2.34 of the
11 San Francisco Administrative Code is waived.

12 Section 6. Under Section 2.40 of the San Francisco Administrative Code, the
13 ordinance submitting this proposal to the voters shall contain a provision authorizing landlords
14 to pass-through fifty percent (50%) of the resulting property tax increases to residential
15 tenants in accordance with Chapter 37 of the San Francisco Administrative Code.

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

19

20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA
22 City Attorney

23 By: _____
24 MARK BLAKE
25 Deputy City Attorney