

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

TO: Brian Strong, Director, Capital Planning Program
Rebecca Katz, Director, Department of Animal Care and Control
Naomi Kelly, City Administrator, Office of the City Administrator

FROM: Linda Wong, Assistant Clerk, Budget and Finance Committee

DATE: February 17, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Tang on February 9, 2016:

File No. 160120

Resolution amending the City's ten-year capital expenditure plan for FYs 2016-2025 to provide for the financing of an Animal Care and Control Shelter with the execution and delivery of Certificates of Participation or other forms of indebtedness, in accordance with the Capital Plan's General Fund Debt Program.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

1 [Amended Ten-Year Capital Expenditure Plan-FYs 2016-2025 - Certificates of Participation -
2 Animal Care and Control Shelter]

3 **Resolution amending the City's ten-year capital expenditure plan for FYs 2016-2025 to**
4 **provide for the financing of an Animal Care and Control Shelter with the execution and**
5 **delivery of Certificates of Participation or other forms of indebtedness, in accordance**
6 **with Capital Plan's General Fund Debt Program.**

7
8 WHEREAS, This Board of Supervisors (the "Board") of the City and County of San
9 Francisco (the "City") adopted Ordinance No. 216-05 (the "Capital Planning Ordinance")
10 amending San Francisco Administrative Code, Sections 3.20 and 3.21, to authorize the
11 formation of a Capital Planning Committee (the "Committee") and the biennial preparation and
12 adoption of a ten-year capital expenditure plan for the City, including an assessment of the
13 City's capital infrastructure needs, investments required to meet the needs identified through
14 this assessment, and a plan of finance to fund these investments; and

15 WHEREAS, The Capital Planning Ordinance requires that the ten-year capital
16 expenditure plan include all major planned investments to maintain, repair, and improve the
17 condition of the City's capital assets, including, but not limited to, City streets, sidewalks,
18 parks and rights-of-way; public transit infrastructure; airport and port; water, sewer, and power
19 utilities; and all City-owned facilities; and

20 WHEREAS, The Capital Planning Ordinance further requires that the ten-year capital
21 expenditure plan include a plan of finance for all recommended investments, including the
22 proposed uses of general and enterprise funds to be spent to meet these requirements; and
23 the use and timing of long-term debt to fund planned capital expenditures, including general
24 obligation bond measures; and

1 WHEREAS, The Capital Ordinance establishes March 1 as the target date for the City
2 Administrator's submission of the annual ten year Capital Plan to the Mayor of the City and
3 the Board, and calls for the Mayor and the Board to review, update, amend and adopt the ten
4 year capital plan by May 1 of each odd numbered year; and

5 WHEREAS, At the March 2, 2015, meeting the Committee unanimously adopted the
6 ten-year Capital Plan for FYs 2016-2025 and approved it for submission to the Mayor and the
7 Board for its consideration (as so adopted, the "Capital Plan"); and

8 WHEREAS, In Resolution No. 144-15 (the "Resolution") the Board approved the
9 Capital Plan on April 21, 2015; and

10 Whereas, The current Animal Care and Control Shelter (the "Old Animal Control
11 Shelter") located at 1200 15th Street provides critical and unique services in San Francisco
12 which include sheltering thousands of animals each year; facilitating the adoption of animals;
13 enforcing local and state laws pertaining to animal welfare; providing animal care and
14 veterinary services such as health screenings, vaccinations and microchippings; protecting
15 the public from dangerous animals; licensing dogs, service animals and commercial dog
16 walkers; and safeguarding animals for individuals displaced after a natural disaster or
17 unforeseen event; and

18 WHEREAS, The Old Animal Control Shelter was constructed in 1931 and does not
19 meet current health standards for animal care, and based on evaluations conducted by the
20 Department of Public Works in 2013 is particularly vulnerable and would likely become
21 inoperable after a major earthquake; and

22 WHEREAS, A new Animal Care and Control Shelter will provide a modern and
23 seismically safe building for animal care services, including the safeguarding of animals for
24 displaced individuals following a major earthquake to prevent the control of disease
25

1 WHEREAS, A new Animal Control Facility would likely remain operable or sustain less
2 damage after a major earthquake, and thus continue to provide animal control services in the
3 City; and

4 WHEREAS, The previously approved Capital Plan included financing through a
5 proposed general obligation bond to support a new Animal Care and Control Shelter at an
6 estimated construction cost of \$54,000,000; and

7 WHEREAS, The proposed general obligation bond was amended to delete funding for
8 the Animal Control Shelter with general obligation bonds, and recommended that such facility
9 be financed through the execution and delivery of Certificates of Participation; and

10 WHEREAS, The City and County of San Francisco Planning Department determined
11 that an Animal Care and Control Shelter at 1419 Bryant Street is consistent with the Eastern
12 Neighborhoods Rezoning and Area Plans and is therefore exempt from further environmental
13 review pursuant to CEQA; and

14 WHEREAS, It is expected that legislation will be presented to the Board on April 2016
15 appropriating funds for the Animal Care and Control Shelter and placing those funds on
16 Controller's Reserve pending the authorization and sale of the Certificates of Participation;
17 and

18 WHEREAS, In order to provide for the execution and delivery of the Certificates of
19 Participation it is necessary for the Board to amend the Capital Plan; and

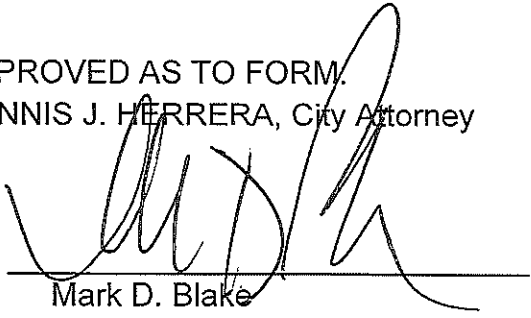
20 WHEREAS, The proposed Amended Capital Plan and the City Administrator's
21 transmittal letter are on file with the Clerk of the Board of Supervisors File No. _____, which
22 is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

23 RESOLVED, That the above recitals are true and correct; and, be it

24 FURTHER RESOLVED, That this Board has reviewed the Amended Capital Plan; and
25 be it

1 FURTHER RESOLVED, That this Board hereby adopts the Amended Capital Plan as
2 the City's ten-year capital expenditure plan for purposes of the Capital Planning Ordinance.

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4 APPROVED AS TO FORM.
5 DENNIS J. HERRERA, City Attorney

6
7 By: 
8 Mark D. Blake
9 Deputy City Attorney
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