

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

2

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

25

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. 160120, 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

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