

FILE NO. 100337ORDINANCE NO. 92-10

RO#10032

SA#32

1 [Appropriating \$1,647,249,198 of proceeds from debt for the Water System Improvement
 2 Program at the Public Utilities Commission for Fiscal Year ~~2009-2010~~ 2010-2011 through
 3 Fiscal Year 2015-2016.]

4
 5 Ordinance appropriating \$1,647,249,198 of proceeds from debt for the San Francisco
 6 Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for
 7 Fiscal Year ~~2009-2010~~ 2010-2011 through Fiscal Year 2015-2016, and placing the entire
 8 appropriation of \$1,647,249,198 by project on Controller's reserve subject to SFPUC's

9 and Board of Supervisors' discretionary approval following completion of project-
 10 related analysis pursuant to the California Environmental Quality Act (CEQA), where
 11 required, and receipt of proceeds of indebtedness, placing on Budget and Finance
 12 Committee reserve the funds for construction costs of any project with costs in excess
 13 of \$100,000,000 and \$116,863,924 related to funding for project construction starting
 14 after June 30, 2012, and adopting environmental findings.

15 Note: Additions are single-underline italics Arial;
 16 Deletions are ~~strikethrough italics Times New Roman~~.
 17 Board amendment additions are double underlined.
 18 Board amendment deletions are ~~strikethrough normal~~.

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

20
 21 Section 1. The sources of funding outlined below are herein appropriated to reflect the
 22 funding available for Fiscal Year ~~2009-2010~~ 2010-2011 through Fiscal Year 2015-2016.
 23
 24
 25

1 **SOURCES Appropriation**

2	Fund	Index Code /	Subobject	Description	Amount
3		Project Code			
4	5W CPF 02E – Public	*WTR5WCPF02E /	803XX	Proceeds of Debt	\$1,647,249,198
5	Utilities Commission- 2002	CUW3000100			
6	Proposition E Bond Fund				
7	Total SOURCES Appropriation				\$1,647,249,198

8

9 Section 2: The uses of funding outlined below are herein de-appropriated in Subobject 06700
 10 Buildings Structures and Improvements, and reflects the funding available for Fiscal Year
 11 2009-2010.

12

13 **USES De-appropriation**

14	Fund	Index Code /	Subobject	Description	Amount
15		Project Code			
16	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$29,408,888
17	Utilities Commission-	Project:	Structures, and	Local Pump	
18	2002 Proposition E	CUWSLP0100	Improvements	Stations / Tanks	
19	Bond Fund				
21	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$10,831,228
22	Utilities Commission-	Project:	Structures, and	Local Pipeline /	
23	2002 Proposition E	CUWSLV0100	Improvements	Valves	
24	Bond Fund				

	Fund	Index Code / Project Code	Subobject	Description	Amount
3	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$909,600
4	Utilities Commission-	Project:	Structures, and	Local	
5	2002 Proposition E	CUWSLM0100	Improvements	Miscellaneous	
6	Bond Fund				
7	Total USES De-appropriation				\$41,149,716

Section 3. The uses of funding outlined below are herein appropriated in Subobject 06700 Buildings Structures and Improvements and 081C4 Internal Audits, and reflects the projected uses of funding to support the Water System Improvement Program at the San Francisco Public Utilities Commission for Fiscal Year ~~2009-2010~~ 2010-2011 through Fiscal Year 2015-2016.

USES Appropriation

	Fund	Index Code / Project Code	Subobject	Description	Amount
18	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Joaquin	\$222,715,803
19	Utilities Commission-	Project:	Structures, and	Water System	
20	2002 Proposition E	CUWSJI0100	Improvements	Improvements	
21	Bond Fund				

1	Fund	Index Code /	Subobject	Description	Amount
2		Project Code			
3	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Sunol Valley	\$247,478,748
4	Utilities Commission-	Project:	Structures, and	Water System	
5	2002 Proposition E	CUWSVI0100	Improvements	Improvements	
6	Bond Fund				
7					
8	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Bay Division	\$126,305,586
9	Utilities Commission-	Project:	Structures, and	Water System	
10	2002 Proposition E	CUWBDI0100	Improvements	Improvements	
11	Bond Fund				
12					
13	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Peninsula Water	\$557,562,377
14	Utilities Commission-	Project:	Structures, and	System	
15	2002 Proposition E	CUWPWI0100	Improvements	Improvements	
16	Bond Fund				
17					
18	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$16,250,288
19	Utilities Commission-	Project:	Structures, and	Regional Water	
20	2002 Proposition E	CUWSFR0100	Improvements	System Projects	
21	Bond Fund				
22					
23					
24					
25					

1	Fund	Index Code /	Subobject	Description	Amount
2		Project Code			
3	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Environmental	\$168,269
4	Utilities Commission-	Project:	Structures, and	Impact Project	
5	2002 Proposition E	CUW3880100	Improvements	(PEIR)	
6	Bond Fund				
7					
8	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Habitat Reserve	\$41,286,387
9	Utilities Commission-	Project:	Structures, and	Program	
10	2002 Proposition E	CUW3880100	Improvements		
11	Bond Fund				
12					
13	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Program	\$55,804,772
14	Utilities Commission-	Project:	Structures, and	Management	
15	2002 Proposition E	CUW3920100	Improvements		
16	Bond Fund				
17					
18	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Watershed	\$13,184,886
19	Utilities Commission-	Project:	Structures, and	Environmental	
20	2002 Proposition E	CUW3940100	Improvements	Improvement	
21	Bond Fund			Program	
22					
23					
24					
25					

	Fund	Index Code / Project Code	Subobject	Description	Amount
1					
2					
3	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$26,572,340
4	Utilities Commission-	Project:	Structures, and	Local Reservoirs	
5	2002 Proposition E	CUWSLR0100	Improvements		
6	Bond Fund				
7					
8	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Lake Merced	\$22,407,134
9	Utilities Commission-	Project:	Structures, and	Water Level	
10	2002 Proposition E	CUW3010100	Improvements	Restoration	
11	Bond Fund				
12					
13	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$31,126,553
14	Utilities Commission-	Project:	Structures, and	Ground Water	
15	2002 Proposition E	CUW3010200	Improvements	Supply	
16	Bond Fund				
17					
18	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Recycled Water	\$110,146,222
19	Utilities Commission-	Project:	Structures, and	Project San	
20	2002 Proposition E	CUW3020100	Improvements	Francisco	
21	Bond Fund				
22					
23					
24					
25					

	Fund	Index Code / Project Code	Subobject	Description	Amount
3	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	San Francisco	\$18,289,688
4	Utilities Commission-	Project:	Structures, and	Eastside	
5	2002 Proposition E	CUW3020500	Improvements	Recycled Water	
6	Bond Fund				
8	5W CPF 02E – Public	WTRSIPCPF02E	06700 Buildings,	Financing Costs	\$196,203,562
9	Utilities Commission-	Project:	Structures, and		
10	2002 Proposition E	CUW3000100	Improvements		
11	Bond Fund				
13	5W CPF 02E – Public	WTRSIPCPF02E	081C4 Internal	City Services	\$2,896,299
14	Utilities Commission-	Project:	Audits	Auditor	
15	2002 Proposition E	CUW3000100			
16	Bond Fund				
17	Total USES Appropriation				<u>\$1,688,398,914</u>

Section 4. The total appropriation of \$1,647,249,198 is placed on Controller's Appropriation Reserve by project. Release of appropriation reserves by the Controller is subject to the prior occurrence of: 1) the SFPUC's and the Board of Supervisors' discretionary adoption of CEQA Findings for projects, following review and consideration of completed project-related environmental analysis, where required, pursuant to CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, and 2) the Controller's certification of

1 funds availability, including proceeds of indebtedness. The appropriation for funding the
2 construction costs of any project with costs in excess of \$100,000,000 is placed on Budget
3 and Finance Committee reserve pending review and reserve release by the Budget and
4 Finance Committee. The appropriation of funding for project construction for Upper Alameda
5 Creek Filter Gallery (\$15,314,352), Peninsula Pipelines Seismic Upgrade (\$10,242,545),
6 Regional Groundwater Storage and Recovery (\$33,490,259), Lake Merced Water Level
7 Restoration (\$22,919,437) and Program Management (\$34,897,331) starting after June 30,
8 2012, amounting to a total of \$116,863,924, is placed on Budget and Finance Committee
9 reserve pending review of updated expenditure plans subsequent to January 1, 2012 but prior
10 to June 30, 2012.

11
12 Section 5. Findings.

13 (a) The Board of Supervisors previously appropriated \$1,923,629,194 for the WSIP, by
14 Ordinance No 311-08 (finally passed on December 16, 2008), and made the following findings
15 in compliance with CEQA, California Public Resources Code Section 21000 et seq., the
16 CEQA Guidelines, 14 Cal. Code of Regulations Sections 15000 et seq. (CEQA Guidelines),
17 and San Francisco Administrative Code Chapter 31 (Chapter 31), and hereby adopts the
18 same findings with respect to this appropriation ordinance: (i) On October 30, 2008, the
19 Planning Commission reviewed and considered the Water System Improvement Program
20 Final Environmental Impact Report (WSIP Final EIR) by Motion No. 17734, and found that the
21 contents of said report and the procedures through which the Final EIR was prepared,
22 publicized, and reviewed, complied with CEQA and Chapter 31; a copy of the motion is on file
23 with the Clerk of the Board in File No. 081453 and is incorporated into this Ordinance by this
24 reference. (ii) On October 30, 2008, the SFPUC adopted Resolution Nos. 08-0200 and 08-
25 0202 in which the SFPUC: (A) approved the Phased Water System Improvement Program

1 (Phased WSIP) and (B) authorized the SFPUC General Manager to request that the Mayor
2 recommend approval of a Supplemental Appropriation to the Board of Supervisors in the
3 amount of \$1,923,629,194. (iii) SFPUC Resolution No. 08-0200 contained environmental
4 findings and adopted a mitigation monitoring and reporting plan (MMRP), the MMRP and
5 environmental findings, including exhibits, are collectively referred to herein as "SFPUC
6 CEQA Findings" for the implementation of the Phased WSIP, as required by CEQA. SFPUC
7 CEQA Findings included extensive findings regarding the Phased WSIP potential
8 environmental impacts, the sufficiency of mitigation measures, responsibility for
9 implementation of mitigation measures including a mitigation and monitoring report, and a
10 statement of overriding considerations regarding potentially significant and unavoidable
11 impacts. The SFPUC CEQA Findings reflected the SFPUC's independent review and
12 consideration of the relevant environmental information contained in the WSIP Final EIR and
13 the administrative record. The SFPUC CEQA Findings are on file with the Clerk of the Board
14 of Supervisors in File No. 081453 and are incorporated herein by reference. (iv) The Board
15 of Supervisors has had the opportunity to review and consider the Final EIR and the
16 administrative record, which are located at the Planning Department at 1650 Mission Street,
17 Suite 400, in file no. 2005.0159E. The Board of Supervisors has reviewed and considered the
18 Final EIR and the SFPUC CEQA Findings with respect to this Ordinance, including the MMRP
19 and Statement of Overriding Considerations adopted by the SFPUC on October 30, 2008, and
20 determined that said Findings remain valid for the actions contemplated in this Ordinance;
21 there are no changed circumstances or other factors present that would require additional
22 environmental review for this Ordinance. (v) The Board hereby adopts as its own and
23 incorporates the SFPUC CEQA Findings contained in SFPUC Resolution No. 08-0200 by
24 reference as though such findings were fully set forth in this Ordinance. (vi) The Board of
25 Supervisors endorses the implementation of the mitigation measures identified in the SFPUC

1 CEQA Findings and recommends for adoption any mitigation measures that are enforceable
2 by agencies other than City agencies, all as set forth in the SFPUC CEQA Findings, including
3 the MMRP contained in the referenced SFPUC CEQA Findings. (vii) The Board of
4 Supervisors finds on the basis of substantial evidence in light of the whole record that: (A) the
5 WSIP Supplemental Appropriation reflected in this Ordinance before the Board of Supervisors
6 will not require revisions to the Final EIR due to the involvement of new significant
7 environmental effects or substantially increase in the severity of previously identified
8 significant effects; (B) no substantial changes have occurred with respect to the
9 circumstances under which the Phased WSIP will be undertaken which would require major
10 revisions to the Final EIR due to the involvement of new significant environmental effects, or a
11 substantial increase in the severity of effects identified in the Final EIR; and (C) no new
12 information of substantial importance to the Phased WSIP has become available which would
13 indicate (1) the Program will have significant effects not discussed in the Final EIR; (2)
14 significant environmental effects will be substantially more severe; (3) mitigation measures or
15 alternatives found not feasible which would reduce one or more significant effects have
16 become feasible; or (4) mitigation measures or alternatives which are considerably different
17 from those in the Final EIR would substantially reduce one or more significant effects on the
18 environment.

FUNDS AVAILABLE


APPROVED AS TO FORM:

BEN ROSENFELD

DENNIS J. HERRERA, City Attorney

Controller

By: 

By: 

Deputy City Attorney

Date: 3/16/2010

Amended Date: 4/8/2010



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Ordinance

File Number: 100337

Date Passed: April 20, 2010

Ordinance appropriating \$1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of \$1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of \$100,000,000 and \$116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.

April 13, 2010 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

April 20, 2010 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar and Mirkarimi
Excused: 1 - Maxwell

File No. 100337

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Mayor Gavin Newsom

Angela Calvillo
Clerk of the Board

4-30-10

Date Approved