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 Capital Plan’s General Fund Debt Program.

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

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

WHEREAS, The Capital Planning Ordinance further requires that the ten-year capital expenditure plan include a plan of finance for all recommended investments, including the proposed uses of general and enterprise funds to be spent to meet these requirements; and the use and timing of long-term debt to fund planned capital expenditures, including general obligation bond measures; and
WHEREAS, The Capital Ordinance establishes March 1 as the target date for the City Administrator's submission of the annual ten year Capital Plan to the Mayor of the City and the Board, and calls for the Mayor and the Board to review, update, amend and adopt the ten year capital plan by May 1 of each odd numbered year; and

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

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

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

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

WHEREAS, A new Animal Care and Control Shelter will provide a modern and seismically safe building for animal care services, including the safeguarding of animals for displaced individuals following a major earthquake to prevent the control of disease
WHEREAS, A new Animal Control Facility would likely remain operable or sustain less
damage after a major earthquake, and thus continue to provide animal control services in the
City; and
WHEREAS, The previously approved Capital Plan included financing through a
proposed general obligation bond to support a new Animal Care and Control Shelter at an
estimated construction cost of $54,000,000; and
WHEREAS, The proposed general obligation bond was amended to delete funding for
the Animal Control Shelter with general obligation bonds, and recommended that such facility
be financed through the execution and delivery of Certificates of Participation; and
WHEREAS, The City and County of San Francisco Planning Department determined
that an Animal Care and Control Shelter at 1419 Bryant Street is consistent with the Eastern
Neighborhoods Rezoning and Area Plans and is therefore exempt from further environmental
review pursuant to CEQA; and
WHEREAS, It is expected that legislation will be presented to the Board on April 2016
appropriating funds for the Animal Care and Control Shelter and placing those funds on
Controller’s Reserve pending the authorization and sale of the Certificates of Participation;
and
WHEREAS, In order to provide for the execution and delivery of the Certificates of
Participation it is necessary for the Board to amend the Capital Plan; and
WHEREAS, The proposed Amended Capital Plan and the City Administrator’s
transmittal letter are on file with the Clerk of the Board of Supervisors File No. _______, which
is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it
RESOLVED, That the above recitals are true and correct; and, be it
FURTHER RESOLVED, That this Board has reviewed the Amended Capital Plan; and
be it
FURTHER RESOLVED, That this Board hereby adopts the Amended Capital Plan as
the City’s ten-year capital expenditure plan for purposes of the Capital Planning Ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: __________________________________
Mark D. Blake
Deputy City Attorney

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