

AGENDA

CITIZENS ADVISORY COMMITTEE **Special Meeting Notice**

Date: Wednesday, June 15, 2016; 6:00 p.m.

Location: Transportation Authority Hearing Room, 1455 Market Street, Floor 22

Chris Waddling (Chair), Peter Sachs (Vice Chair), Myla Ablog, Becky Hogue, John Members:

Larson, Santiago Lerma, Jacqualine Sachs, Peter Tannen and Bradley Wiedmaier

6:00 1. Committee Meeting Call to Order

6:02 2. Development of a Potential Transportation Sales Tax Expenditure Plan -**INFORMATION***

At its May 17 meeting, the San Francisco Board of Supervisors (BOS) passed a resolution calling for the Transportation Authority, in partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency, to lead development of a San Francisco Transportation Expenditure Plan to specify the use of revenues from a potential new half-cent sales tax for transportation for consideration for the November 2016 ballot. The Expenditure Plan will build and expand on the recommendations of the San Francisco Transportation Plan (SFTP) and Transportation 2030 Task Force (which recommended an additional half-cent sales tax as one of a suite of four revenue measures) as well as existing planning and prioritization efforts. Building on these prior efforts and ongoing conversations with key stakeholders, on June 7, Supervisors Avalos and Wiener introduced the attached draft sales tax ordinance and Expenditure Plan at the BOS. The proposed 0.5% sales tax would be in effect for 25 years. The new measure requires an Expenditure Plan, which is envisioned to fund critical transportation services and improvements in every neighborhood including safer, well-maintained streets, transit maintenance and expansion, and Muni equity and affordability programs. The attached schedule shows key milestones, including public engagement opportunities, over the next seven to eight weeks leading to the placement of the revenue measure on the ballot later this summer. We will be seeking input from city and regional transit agencies serving San Francisco, members of the public, and other key stakeholders through a variety of outreach tools and strategies, as described in the memo. We are seeking input on the Expenditure Plan and public engagement strategy from the Citizens Advisory Committee.

7:50 3. **Public Comment**

Adjournment 8:00 4.

^{*} Additional materials

Next Regular Meeting: Wednesday, June 22, 2016

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Memorandum

Date: 06.10.16 RE: Citizens Advisory Committee
June 15, 2016

To: Citizens Advisory Committee

From: Maria Lombardo – Chief Deputy Director

Through: Tilly Chang – Executive Director

Subject: INFORMATION – Development of a Potential Transportation Sales Tax Expenditure Plan

Summary

At its May 17 meeting, the San Francisco Board of Supervisors (BOS) passed a resolution calling for the Transportation Authority, in partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency, to lead development of a San Francisco Transportation Expenditure Plan to specify the use of revenues from a potential new half-cent sales tax for transportation for consideration for the November 2016 ballot. The Expenditure Plan will build and expand on the recommendations of the San Francisco Transportation Plan (SFTP) and Transportation 2030 Task Force (which recommended an additional half-cent sales tax as one of a suite of four revenue measures) as well as existing planning and prioritization efforts. Building on these prior efforts and ongoing conversations with key stakeholders, on June 7, Supervisors Avalos and Wiener introduced the attached draft sales tax ordinance and Expenditure Plan at the BOS. The proposed 0.5% sales tax would be in effect for 25 years. The new measure requires an Expenditure Plan, which is envisioned to fund critical transportation services and improvements in every neighborhood—including safer, well-maintained streets, transit maintenance and expansion, and Muni equity and affordability programs. The attached schedule shows key milestones, including public engagement opportunities, over the next seven to eight weeks leading to the placement of the revenue measure on the ballot later this summer. We will be seeking input from city and regional transit agencies serving San Francisco, members of the public, and other key stakeholders through a variety of outreach tools and strategies as described in the memo. We are seeking input on the Expenditure Plan and public engagement strategy from the Citizens Advisory Committee.

BACKGROUND

The Transportation Authority adopted the most recent update of the countywide transportation plan (the San Francisco Transportation Plan or SFTP) in 2013, which established the 30-year vision for San Francisco's transportation system. As documented in the SFTP, and affirmed by the Mayor's Transportation 2030 (T2030) Task Force thereafter, San Francisco's needs for transportation funding far exceed expected revenue from federal, state and local sources with an estimated \$19 billion unfunded need through 2040. New priorities and needs emerging since 2013 include reaching the city's Vision Zero transportation safety goal by 2024, interest in a second Transbay tube, and investments in adaptation and resiliency.

Federal and state support for transportation remains inadequate and so cities and counties across the nation and state continue look to voter support for 'self-help' in the form of local transportation funding measures. The T2030 Task Force recommended a series of local funding sources, including a

transportation bond measure (passed by voters as Prop A in 2014), restoration of the Vehicle License Fee to the historic 2% level, and an additional half-cent sales tax, which combined to address approximately \$3 billion of an estimated \$10 billion need over 15 years (a subset of the need estimated in the SFTP). While the city is making real improvements in transit reliability, safer streets, and the pavement condition of our street network, our transportation system is still in need of significant investment to bring it into a state of repair and to sustain it at such a level. Additionally, the city has an urgent need to invest in near and long-term projects that will relieve severe overcrowding on our local and regional transit systems. As Transportation Authority Chair since January 2015, Supervisor Wiener has frequently cited this urgent need for greater investment in the city and region's transportation system.

On May 3, 2016, Supervisors Wiener and Avalos introduced a resolution urging the Transportation Authority, in partnership with the Mayor's Office and San Francisco Municipal Transportation Agency (SFMTA), to develop a San Francisco Transportation Expenditure Plan to specify the use of revenues from a potential new half-cent sales tax for transportation for potential consideration for the November 2016 ballot. A half-cent sales tax is estimated to bring in about \$100 million annually generating \$2.5 billion over 25 years and leveraging 4-6 times (\$10-15 billion) that amount over the same period.

Principles for Developing Transportation Expenditure Plan: The BOS resolution provides some guidance for developing an Expenditure Plan, building off of and expanding upon the foundation provided by the SFTP and Transportation 2030 task force. Attachment 1 proposes some draft principles for development of the Expenditure Plan which we developed working closely with SFMTA staff, and through ongoing conversations with Board members, San Francisco local and regional agencies, and key stakeholders.

Expenditure Plan principles:

- Build on SFTP and the Transportation 2030 Report
- Embrace City and agency initiatives passed since T2030, including strategies to support equity, affordability and traffic safety
- Address progress and changes to project/program information
- Increased focus on core capacity, system resiliency and equity given rapid growth and affordability pressures

Funding principles:

- Provide a bridge between 2017 and future revenue measures, including but not limited to a San Francisco Vehicle License Fee recommended by the Mayor's Transportation 2030 Report (could be approved as soon as 2018), an increased toll on Bay Area state-owned toll bridges (Regional Measure 3, anticipated as soon as 2018), the amendment of the Prop K Transportation Expenditure Plan for the 0.5% sales tax authorized in 2003 (Expenditure Plan can be amended as soon as 2023), and various options under consideration at the state level)
- Consider funding eligibility, particularly for those projects and programs that are not eligible for other key funding sources (e.g. light rail vehicles (LRVs) and BART car replacement are not G.O. Bond eligible)

Guided by these principles and ongoing conversations with key stakeholders, on June 7, Supervisors Avalos and Wiener introduced the attached draft sales tax ordinance and Expenditure Plan (Attachment 2: Sales Tax Ordinance and Expenditure Plan) at the BOS. The proposed 0.5% sales tax would be in effect for 25 years. It is anticipated that the new measure would generate \$2.5 billion over 25 years and could be used to pay for critical transportation services and transportation improvements in every neighborhood—safer, well-maintained streets, transit maintenance and expansion, and Muni equity and affordability programs consistent with the draft Expenditure Plan.

Charter Amendment: The BOS has also introduced a charter amendment ["Charter Amendment – Homeless Housing and Services Fund and Budget Set-Aside; Transportation Improvement Fund and Budget Set-Aside] that would create general fund set-asides for homeless housing and services and for transportation. If the Charter Amendment is placed on the November 2016 ballot and approved by a simple majority of voters, the Charter Amendment would set aside:

- \$11.5 M in FY 2016/17 and \$47.75 M beginning in FY 2017/18 and each year thereafter through FY 2041/42 for homeless housing and services; and
- \$23 M in FY 2016/17 and \$95.5 M beginning in FY 2017/18 and each year thereafter through FY 2041/42 for transportation.

The distribution of revenues is 1/3 for homelessness and 2/3 for transportation. The budget set-asides would be funded by the City's General Fund.

We are encouraged to see the interest exhibited by the Board and Mayor in funding transportation by the introduction of both measures. We fully anticipate that by the end of July, the BOS and Mayor will decide upon one measure to place on the November 2016 ballot as they consider transportation in the context of all the other measures under consideration for the fall election cycle. For this reason, both the sales tax Expenditure Plan and the charter amendment include identical categories of funding and initial percentages for the distribution of revenues. The two measures differ in their voter-approval requirements and some administrative aspects.

While the remainder of this memo focuses on the transportation sales tax Expenditure Plan, the input we are seeking on the Expenditure Plan will inform both potential measures, as well as the underway Long-Range Transportation Planning Program, which will lead to a major update of the SFTP as soon as 2018.

DISCUSSION

The purpose of this memorandum is to brief the Citizens Advisory Committee (CAC) on the draft San Francisco Transportation Expenditure Plan and to seek CAC input on the plan, as well as the proposed public engagement strategy. We provided a high level overview of the latter at the May CAC meeting, but have since fleshed out the strategy and firmed up most of the key dates for outreach as shown in Attachment 2.

Process for Placing a Sales Tax Ordinance on the Ballot: In order for the sales tax ordinance to be placed on the November 2016 ballot it will need to be approved by local and regional bodies over the next two months. For instance, pursuant to the California Public Utilities Code sections under which the Transportation Authority was established, the Metropolitan Transportation Commission (MTC) needs to approve the Expenditure Plan before the BOS can approve the Expenditure Plan and vote to place a sales tax ordinance on the ballot to fund it. We are already coordinating with MTC staff and have incorporated proposed dates for MTC approval of the plan in the attached schedule (Attachment 3: Draft Schedule for Approval of a Transportation Sales Tax Measure.

We anticipate bringing the draft Expenditure Plan before the Transportation Authority's Plans and Programs Committee on June 21, and to the Transportation Authority Board on June 28. We have also scheduled a special meeting on July 12 at which the Board would consider approval of the Expenditure Plan. The schedule shows anticipated dates for actions at the BOS necessary for the Expenditure Plan and sales tax ordinance to be placed on the November 2016 ballot. The final date for the Mayor to sign the ordinance and for the BOS to submit the ordinance to the Department of Election is August 5. A dedicated sales tax measure would require approval by 2/3 of voters and, if approved, sales tax revenues would begin to be collected on April 1, 2017.

Key Expenditure Plan Provisions: The Expenditure Plan is organized into six sections:

- **Section 1: Introduction** provides background on the plan's purpose and goals.
- Section 2: Plan Summary provides the plan's investment detail by category.
- Section 3: General Provisions provides further context on the plan's policies and administration.
- **Section 4: Description of Programs** contains detailed descriptions of the programs and types of items that are eligible for funding under each of them.
- Section 5: Implementation Provisions describes the process for prioritizing and allocating funds following adoption of the plan.
- **Section 6: Amendment Process** address the mechanisms for amending the Expenditure Plan.

The central feature of the draft Expenditure Plan are the six categories or programs that describe the types of projects and projects that would be eligible to receive funds from the sales tax measure. Those categories are show in Table 1 below. Descriptions of the categories are found in Section 4 of the Expenditure Plan starting on page 19 of Attachment 2. One notable difference from the current Prop K transportation sales tax that the Transportation Authority currently manages is the inclusion of the Transit Service and Affordability program (slated to receive 10% of revenues). It is specifically intended to address equity and affordability issues and can help support Free Muni for Low Income Youth, Senior and Disabled Rider Programs; help implement recommendations from the Muni Equity Strategy (capital or operations), fund late night transportation services for night and swing shift workers; and to provide transit service for vulnerable populations such as paratransit and mobility management programs as well as help prevent service cuts in future years for these populations during economic downturns.

The amounts show are based on a preliminary revenue projection of \$100 million annual in sales tax revenues. We expect to have a revised sales tax forecast by the CAC meeting.

Table 1: San Francisco Transportation Expenditure Plan Summary 2016 (\$ millions)

Pr	ogram	Total Prop TBD Funding	% of Prop TBD Funding
1.	Transit Service and Affordability	\$250	10%
2.	Muni Fleet, Facilities and Infrastructure Repair and Maintenance	\$500	20%
3.	Transit Optimization and Expansion	\$250	10%
4.	Regional Transit and Smart System Management	\$375	15%
5.	Vision Zero Safer and Complete Streets	\$250	10%
6.	Street Resurfacing	\$875	35%
	Total	\$2,500	100%

Trigger for Re-Allocation of Street Resurfacing Funds: As shown in Table 1, in the draft Expenditure Plan, the largest amount of revenues (35%) would be directed to street resurfacing to help ensure that the city reaches and maintains a Pavement Condition Index score of 70, meaning that a majority of city streets will be in good condition. As noted above, given much higher needs than available revenues in almost every category of investment, there are always tradeoffs involved. There are several new revenue measures that could be established in the short- to mid-term that could provide dedicated funds for street

¹ Prop K does include a Paratransit funding program which comprises 8.6% of total program revenues.

resurfacing including, but not limited to: a San Francisco Vehicle License Fee (could be approved as soon as 2018), the amendment of the Prop K Transportation Expenditure Plan authorized in 2003 (as soon as 2023), and various options under consideration at the state level. If any of these or other new revenues measures are put into place with dedicated funds for street resurfacing during the Expenditure Plan period, the Sales Tax Ordinance provides for decreasing the amount of funds provided to the Street Resurfacing program each fiscal year by the amount of new dedicated local revenues available for street resurfacing, de-escalated to 2016 \$'s, subject to a minimum floor of 11% of total sales tax funds for street resurfacing or \$280 million (2016 \$'s). The increment of freed up street resurfacing funds will be distributed to the remaining categories as shown in Table 2.

Table 2. Distribution of "Freed up" Funds from Street Resurfacing to Other Programs

Program	% of Prop TBD Funding
1. Transit Service and Affordability	42%
2. Muni Fleet, Facilities and Infrastructure Repair and Improvements	4%
3. Transit Optimization and Expansion	33%
4. Regional Transit and Smart System Management	0%
5. Vision Zero Safer and Complete Streets	21%
6. Street Resurfacing	0%
Total	100%

Other Key Provisions: In Section 5, the draft Expenditure Plan provides guidance on the prioritization and allocation of revenues after adoption of the Expenditure Plan. The Transit Service and Affordability and Street Resurfacing categories would be treated like annual subventions to the SFMTA and San Francisco Public Works respectively, subject to reporting and audit requirements. The remaining five categories would be required to develop 5-year prioritization programs, similar to Prop K, where eligible sponsors, interested agencies and the public would be able to provide input on the proposed project priorities for the next 5 years. The 5YPPs would be presented to the City's Capital Planning Committee for review and input prior to going through the Transportation Authority's CAC, Plans and Programs Committee and Board for approval.

Accountability and transparency provisions, similar to those in place for Prop K, which would ensure that funds are spent as intended by the voters in furtherance of delivering the Expenditure Plan. These include, but are not limited to annual independent audits, an annual report and charging the CAC with serving as the citizens' oversight committee for the measure.

Public Engagement Strategy: The tight timeline to place a sales tax ordinance on the November 2018 ballot poses a challenge, but it is important to keep in mind that we are not starting from scratch. We are building upon on a strong foundation of existing and underway planning and prioritization efforts in the city and carrying out the next phase of Transportation 2030 recommendations, adjusting for changes – in projects, policies, transportation system performance, etc. that have come to pass since 2013. Outreach efforts will seek to build on existing processes where possible from calendaring items at Transportation Authority Board and Committee meetings, SFMTA Board and CAC meetings (subject to confirmation), and continuing to work with the Transportation Justice Coalition which collaborated closely with Commissioner Avalos and the SFMTA to develop the Muni Equity Policy and Strategy.

We will also need to be creative and find ways to quickly and effectively reach out to the public and communities of concern. Our proposed suite of outreach strategies, all of which can be rapidly deployed, include the following in addition to the meetings noted above:

- Development of a website. We have an initial web page on our website (http://www.sfcta.org/transportation-sales-tax-expenditure-plan) and will launch a stand-alone website with information, one or more interactive tools to provide input, and an ability to request additional information or meetings. The website will be accessible in multiple languages.
- Direct outreach to key stakeholders such as community, business and civic groups.
- Broad outreach to neighborhood organizations (e.g. distribution of surveys and outreach materials
 through community-based organizations, traditional email and social media communications to
 promote website, hearings and outreach events, and speakers bureau to conduct presentations at
 community meetings)
- Public Open House Scheduled for June 21 at our offices (time TBD)
- Telephone town halls June 29 (6-7 p.m.) and June 30 (noon-1 p.m.)

On the public agency side, we have been working very closely with the SFMTA and have held ongoing conversations with regional transit operators, particularly BART and Caltrain. We are seeking input from our Technical Working Group which include City departments with transportation functions, the Port, regional transit operators, the Transbay Joint Powers Authority, MTC, Caltrans and others.

ALTERNATIVES

None. This is an information item.

FINANCIAL IMPACTS

None. This is an information item. We anticipated development of a potential revenue measure in our adopted FY 2015/16 budget and have included funds in the proposed FY 2016/17 budget for related activities.

RECOMMENDATION

None. This is an information item.

Attachments (3):

- 1. Board of Supervisors Resolution Developing a Transportation Sales Tax Expenditure Plan
- 2. Board of Supervisors Initiative Ordinance Business and Tax Regulations Code Half-Cent Sales Tax Increase for Transportation
- 3. Draft Schedule for Approval of a Transportation Sales Tax Measure

Attachment 1 AMENDED IN COMMITTEE 5/12/16

FILE NO. 160486 RESOLUTION NO.

1	[Development of a Transportation Sales Tax Expenditure Plan]
2	
3	Resolution urging the San Francisco County Transportation Authority, in partnership
4	with the Mayor's Office and the San Francisco Municipal Transportation Agency, to
5	develop a San Francisco Transportation Expenditure Plan to specify the use of
6	revenues from a potential new half-cent sales tax for transportation for potential
7	consideration for the November 2016 ballot.
8	
9	WHEREAS, The San Francisco County Transportation Authority (SFCTA) adopted the
10	most recent update of the countywide transportation plan (the San Francisco Transportation
11	Plan or SFTP) in 2013, which establishes the 30-year vision for San Francisco's
12	transportation system; and
13	WHEREAS, As documented in the SFTP, San Francisco's needs for transportation
14	funding far exceed expected revenue from federal, state, regional and local sources; and
15	WHEREAS, The SFTP, through its investment scenarios and policy recommendations
16	proposes ways to invest the dollars we expect to have to most effectively make progress
17	towards our goals, but analysis shows that this progress is limited unless new revenues are
18	identified; and therefore, the SFTP recommends a two-pronged revenue strategy: positioning
19	San Francisco to compete well for new regional, state, and federal sources, and seeking new
20	locally-controlled sources; and
21	WHEREAS, Building on the SFTP analysis and recommendations, the Mayor's
22	Transportation 2030 Task Force investigated what San Francisco needs to do to fix the
23	transportation network and prepare it for the future; confirming that anticipated revenues were
24	inadequate to meet those needs; and
25	

1	WHEREAS, The Task Force recommended a series of local funding sources (including
2	general obligation bonds, a sales tax, and a vehicle license fee) that, if approved by voters,
3	would provide about \$3 billion to complete a suite of critical transportation infrastructure
4	projects by 2030; and
5	WHEREAS, San Francisco voters approved the first of the Task Force's recommended
6	measures in November 2014 by approving Proposition A, the Transportation and Road
7	Improvement Bond, which will invest \$500 million to complete a range of projects that will
8	reduce Muni travel times, make Muni less crowded and more reliable, and enhance safety on
9	San Francisco's streets; and
10	WHEREAS, At the same election, San Francisco voters approved Proposition B, which
11	requires the City to adjust funding for transportation each year based on population growth;
12	and these funds are helping to improve transit and make our streets safer for all; and
13	WHEREAS, Over the last two years the MTA has adopted a Free MUNI for Youth
14	program, a Free MUNI for Seniors and Disabled program, and a MUNI Service Equity
15	Strategy to guide needed service performance improvements for low-income, transit-
16	dependent communities; and
17	WHEREAS, Since the adoption of the Transportation 2030 recommendations, the City
18	committed to Vision Zero, a policy to build safety into our transportation system to end all
19	severe and fatal traffic injuries by 2024, through accelerated investment in safe streets that
20	prevent severe and deadly crashes on our streets and support safer behavior on the roads;
21	<u>and</u>
22	WHEREAS, While we are making real improvements in transit reliability, building and
23	providing smoother, safer streets, and improving the pavement condition of our street
24	network, our transportation system is still in need of significant investment to bring it into a
25	state of good repair and to sustain it at such a level, and we have an urgent need to invest

1	more in near and long-term projects that relieve severe overcrowding on our local and
2	regional transit systems such as Muni, BART, and Caltrain to better serve current residents,
3	employees, and visitors and provide for planned growth, as well as an urgent need for the
4	resources to efficiently expand service to fully utilize these capital resources and to ensure we
5	can equitably provide transit service and infrastructure investments to our community; and
6	WHEREAS, Such transportation investments can also be complemented with efforts
7	and improvements to promote equitable transit-oriented development; and
8	WHEREAS, We need a stable source of funding to continue to invest in street
9	resurfacing, safety improvements, and the pedestrian and bicycle networks to advance Vision
10	Zero; now, therefore, be it
11	RESOLVED, That the San Francisco Board of Supervisors asks the SFCTA working in
12	partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency
13	(SFMTA), which is administering the Transportation 2030 program, to lead development of a
14	San Francisco Transportation Expenditure Plan to specify the use of revenues from a
15	potential new half-cent sales tax for transportation for potential consideration for the
16	November 2016 ballot; and, be it, further;
17	RESOLVED, That the San Francisco Transportation Expenditure Plan shall build and
18	expand on the recommendations of the SFTP and the Transportation 2030 Task Force,
19	including priorities that emerged after the Task Force convened, including strategies to
20	support equity, service improvements and traffic safety; and, be it, further
21	RESOLVED, That the SFCTA and the SFMTA shall ensure that representatives of city
22	agencies, regional transit agencies serving San Francisco, the Metropolitan Transportation
23	Commission, members of the public, and other key interested stakeholders shall be able to
24	provide input into the San Francisco Transportation Expenditure Plan development, providing

1	at least three publicly noticed meetings in May and June 2016 and developing a
2	complementary public engagement strategy.
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1	[Initiative Ordina Transportation]	ance - Business and Tax Regulations Code - Half-Cent Sales Tax Increase for
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3	Ordinance ame	ending the Business and Tax Regulations Code to impose a transactions
4	(sales) and use	e tax at the rate of one-half of one percent (0.5%) for 25 years, to be
5	imposed by the	San Francisco County Transportation Authority and administered by
6	the State Board	d of Equalization; designate the Transportation Authority as the
7	independent ag	gency to oversee implementation of the San Francisco Transportation
8	Expenditure PI	an; authorize the issuance of bonds or other obligations to finance the
9	projects identi	fied in the Expenditure Plan; and establish an appropriations limit; and
10	directing subm	nission of the tax for voter approval at the November 8, 2016 general
11	municipal elec	tion.
12	NOTE:	Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in single-underline italics Times New Roman font.
13		Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> . Board amendment additions are in <u>double-underlined Arial font</u> .
14		Board amendment additions are in <u>additions</u> . Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code
15		subsections or parts of tables.
16		
17	Be it orda	ained by the People of the City and County of San Francisco:
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19	Section 1	. The Board of Supervisors hereby submits the following ordinance to the
20	voters of the Cit	y and County of San Francisco, at the general municipal election to be held on
21	November 8, 20	16.
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23	Section 2	2. The Business and Tax Regulations Code is hereby amended by adding
24	Article 14-A, cor	nsisting of Sections 1430 through 1446, to read as follows:
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SEC. 1430. TITLE. 1 2 This Article 14-A shall be known as the San Francisco Transportation Expenditure Plan 3 Ordinance. The San Francisco County Transportation Authority hereinafter shall be called 4 "Authority." This Article shall be applicable in the City and County of San Francisco, which shall be 5 referred to herein as "District" or "City." 6 7 SEC. 1431. OPERATIVE DATE. 8 "Operative Date" means the first day of the first calendar quarter commencing more than 120 9 days after the effective date of this Article 14-A. 10 11 SEC. 1432. PURPOSES. 12 This Article 14-A is adopted to achieve the following, among other purposes, and directs that 13 the provisions hereof be interpreted in order to accomplish those purposes: 14 (a) To impose a retail transactions and use tax in accordance with the provisions of 15 Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 16 131000 et seg, of the Public Utilities Code, which authorize the City to adopt this tax ordinance which 17 shall be operative if a two-thirds majority of the electors voting on the measure vote to approve the 18 imposition of the tax at an election called for that purpose. 19 To adopt a retail transactions and use tax ordinance that incorporates provisions 20 identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the 21 22 Revenue and Taxation Code. 23 (c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization 24 in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, 25

1	the existing statutory and administrative procedures followed by the State Board of Equalization in
2	administering and collecting the California State Sales and Use Taxes.
3	(d) To adopt a retail transactions and use tax ordinance that can be administered in
4	a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of
5	Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use
6	taxes, and at the same time, minimize the burden of recordkeeping upon persons subject to taxation
7	under the provisions of this Article 14-A.
8	(e) To adopt an appropriations limit, as required by Article XIII B of the California
9	Constitution, of \$500,000,000.
10	
11	SEC. 1433. CONTRACT WITH STATE.
12	Prior to the operative date, the Authority shall contract with the State Board of Equalization to
13	perform all functions incident to the administration and operation of this Article 14-A; provided, that if
14	the Authority shall not have contracted with the State Board of Equalization prior to the operative date,
15	it shall nevertheless so contract and in such a case the operative date shall be the first day of the first
16	calendar quarter following the execution of such a contract.
17	
18	SEC. 1434. TRANSACTIONS TAX RATE.
19	For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon al
20	retailers in the District at the rate of 0.5% of the gross receipts of any retailer from the sale of all
21	tangible personal property sold at retail in said District on and after the operative date of this Article
22	14-A. This tax is additional to any other existing or future sales and use tax imposed under the
23	authority of Revenue and Taxation Code Division 2, Parts 1.6 or 1.7.
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25	

SEC. 1435. PLACE OF SALE.

For the purposes of this Article 14-A, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

SEC. 1436. USE TAX RATE.

An excise tax is hereby imposed on the storage, use, or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this Article 14-A for storage, use, or other consumption in said District at the rate of 0.5% of the sales price of the property. This tax is additional to any other existing or future sales and use tax imposed under the authority of Revenue and Taxation Code Division 2, Parts 1.6 or 1.7. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SEC. 1437. ADOPTION OF PROVISIONS OF STATE LAW.

Except as otherwise provided in this Article 14-A and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Article 14-A as though fully set forth herein.

1	SEC. 1438. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE
2	<u>TAXES.</u>
3	In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:
4	(a) Wherever the State of California is named or referred to as the taxing agency,
5	the name of this Authority shall be substituted therefor. However, the substitution shall not be made
6	when:
7	(1) The word "State" is used as a part of the title of the State Controller,
8	State Treasurer, Victim Compensation and Government Claims Board, State Board of Equalization,
9	State Treasury, or the Constitution of the State of California;
10	(2) The result of that substitution would require action to be taken by or
11	against this Authority or any agency, officer, or employee thereof rather than by or against the State
12	Board of Equalization, in performing the functions incident to the administration or operation of this
13	Article 14-A;
14	(3) In those sections, including, but not necessarily limited to sections
15	referring to the exterior boundaries of the State of California, where the result of the substitution would
16	<u>be to:</u>
17	(A) Provide an exemption from this tax with respect to certain sales,
18	storage, use, or other consumption of tangible personal property which would not otherwise be exempt
19	from this tax while such sales, storage, use, or other consumption remain subject to tax by the State
20	under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or
21	(B) Impose this tax with respect to certain sales, storage, use, or other
22	consumption of tangible personal property which would not be subject to tax by the State under the said
23	provision of that code.
24	(4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715,
25	6737, 6797, or 6828 of the Revenue and Taxation Code.

1	(b) The word "District" shall be substituted for the word "State" in the phrase
2	"retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in
3	Section 6203 of the Revenue and Taxation Code.
4	
5	SEC. 1439. PERMIT NOT REQUIRED.
6	If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation
7	Code, an additional transactor's permit shall not be required by this Article 14-A.
8	
9	SEC. 1440. EXEMPTIONS AND EXCLUSIONS.
10	(a) There shall be excluded from the measure of the transactions tax and the use tax
11	the amount of any sales tax or use tax imposed by the State of California or by any city, city and county,
12	or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any
13	state-administered transactions or use tax.
14	(b) There are exempted from the computation of the amount of transactions tax the
15	gross receipts from:
16	(1) Sales of tangible personal property, other than fuel or petroleum
17	products, to operators of aircraft to be used or consumed principally outside the County in which the
18	sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or
19	property under the authority of the laws of this State, the United States, or any foreign government.
20	(2) Sales of property to be used outside the District which is shipped to a
21	point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or
22	his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the
23	purposes of this subsection (b)(2), delivery to a point outside the District shall be satisfied:
24	(A) With respect to vehicles (other than commercial vehicles) subject
25	to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle

1	Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and
2	undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle
3	Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed
4	by the buyer, stating that such address is, in fact, his or her principal place of residence; and
5	(B) With respect to commercial vehicles, by registration to a place of
6	business out-of-District and declaration under penalty of perjury, signed by the buyer, that the vehicle
7	will be operated from that address.
8	(3) The sale of tangible personal property if the seller is obligated to furnish
9	the property for a fixed price pursuant to a contract entered into prior to the operative date of this
10	Article 14-A.
11	(4) A lease of tangible personal property which is a continuing sale of such
12	property, for any period of time for which the lessor is obligated to lease the property for an amount
13	fixed by the lease prior to the operative date of this Article 14-A.
14	(5) For the purposes of subsections $(b)(3)$ and $(b)(4)$ of this Section 1440, the
15	sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract
16	or lease for any period of time for which any party to the contract or lease has the unconditional right
17	to terminate the contract or lease upon notice, whether or not such right is exercised.
18	(c) There are exempted from the use tax imposed by this Article 14-A, the storage,
19	use, or other consumption in this District of tangible personal property:
20	(1) The gross receipts from the sale of which have been subject to a
21	transactions tax under any state-administered transactions and use tax.
22	(2) Other than fuel or petroleum products purchased by operators of aircraft
23	and used or consumed by such operators directly and exclusively in the use of such aircraft as common
24	carriers of persons or property for hire or compensation under a certificate of public convenience and
25	necessity issued pursuant to the laws of this State, the United States, or any foreign government. This

1	exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and
2	Taxation Code.
3	(3) If the purchaser is obligated to purchase the property for a fixed price
4	pursuant to a contract entered into prior to the operative date of this Article 14-A.
5	(4) If the possession of, or the exercise of any right or power over, the
6	tangible personal property arises under a lease which is a continuing purchase of such property for
7	any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease
8	prior to the operative date of this Article 14-A.
9	(5) For the purposes of subsections $(c)(3)$ and $(c)(4)$ of this section, storage,
10	use, or other consumption, or possession of, or exercise of any right or power over, tangible personal
11	property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for
12	which any party to the contract or lease has the unconditional right to terminate the contract or lease
13	upon notice, whether or not such right is exercised.
14	(6) Except as provided in subsection (c)(7), a retailer engaged in business in
15	the District shall not be required to collect use tax from the purchaser of tangible personal property,
16	unless the retailer ships or delivers the property into the District or participates within the District in
17	making the sale of the property, including, but not limited to, soliciting or receiving the order, either
18	directly or indirectly, at a place of business of the retailer in the district or through any representative,
19	agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.
20	(7) "A retailer engaged in business in the District" shall also include any
21	retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing
22	with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section
23	21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5
24	(commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax
25	

1	from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the
2	<u>District.</u>
3	(d) Any person subject to use tax under this Article 14-A may credit against that tax
4	any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable
5	for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect
6	to the sale to the person of the property the storage, use, or other consumption of which is subject to the
7	use tax.
8	
9	SEC. 1441. AMENDMENTS.
10	All amendments subsequent to the effective date of this Article 14-A to Part 1 of Division 2 of
11	the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Para
12	1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and
13	Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this
14	Article 14-A, provided however, that no such amendment shall operate so as to affect the rate of tax
15	imposed by this Article 14-A.
16	
17	SEC. 1442. ENJOINING COLLECTION FORBIDDEN.
18	No injunction or writ of mandate or other legal or equitable process shall issue in any suit,
19	action, or proceeding in any court against the State or the Authority, or against any officer of the State
20	or the Authority, to prevent or enjoin the collection under this Article 14-A, or Part 1.6 of Division 2 of
21	the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.
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1	SEC. 1443. ADOPTION AND ADMINISTRATION OF SAN FRANCISCO TRANSPORTATION	
2	EXPENDITURE PLAN; EXPENDITURE OF PROCEEDS.	
3	The Authority shall administer the San Francisco Transportation Expenditure Plan, as defined	
4	in Section 1447 of this Article 14-A, in accordance with Division 12.5 of the California Public Utilities	
5	Code and other applicable law. Proceeds of the tax imposed by this Article 14-A shall be spent only to	
6	implement the project components set forth in the Expenditure Plan, or as required or permitted by	
7	<u>law.</u>	
8		
9	SEC. 1444. AUTHORIZATION TO ISSUE BONDS.	
10	The Authority is hereby authorized to issue bonds as may be provided for in the adopted	
11	Expenditure Plan and in compliance with applicable law ("Limited Tax Bonds" or "Bonds"). The	
12	total outstanding aggregate amount of Bonds shall not exceed \$2,000,000,000, and shall be payable	
13	solely from the proceeds of the tax imposed under this Article 14-A.	
14		
15	SEC. 1445. SEVERABILITY.	
16	If any provision of this Article 14-A or the application thereof to any person or circumstance is	
17	held invalid, the remainder of the Article 14-A and the application of such provision to other persons or	
18	circumstances shall not be affected thereby.	
19		
20	SEC. 1446. TERMINATION DATE.	
21	The authority to levy the tax imposed by this Article 14-A shall expire 25 years from the	
22	Operative Date.	
23		
24	Section 3. Pursuant to Public Utilities Code § 131108, the Board of Supervisors hereby	
25	directs the Department of Elections to include in the sample ballot mailed to the voters the full	

proposition, as set forth in this ordinance, and to include in the voter information handbook the entire adopted San Francisco Transportation Expenditure Plan, set forth in this Section 3 of this ordinance.

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SAN FRANCISCO TRANSPORTATION EXPENDITURE PLAN

- Recommended [MONTH DAY, YEAR]
- 7 San Francisco County Transportation Authority
 - 1. INTRODUCTION
 - A. SUMMARY

The San Francisco Transportation Expenditure Plan (SFTEP or Expenditure Plan) identifies transportation improvements to be funded from a new half-cent transportation sales tax. The projects and programs included in the Expenditure Plan are designed to be implemented over the next 25 years. Provisions are also made for amendments to the SFTEP. The SFTEP includes investments in six major categories: Transit Service and Affordability; Muni Fleet, Facilities and Infrastructure Repair and Improvement; Transit Optimization and Expansion; Regional Transit and Smart System Management; Vision Zero Safer and Complete Streets; and Street Resurfacing.

B. CONTEXT

In May 2016, the San Francisco Board of Supervisors (BOS) asked the San Francisco County Transportation Authority (SFCTA) working in partnership with the Mayor's Office and the San Francisco Municipal Transportation Agency (SFMTA), which is administering the Transportation 2030 program, to lead development of a SFTEP to specify the use of revenues from a potential new half-cent sales tax for transportation for potential consideration for the November 2016 ballot. Further, the BOS called for the SFTEP to build and expand on the recommendations of the San Francisco Transportation Plan (SFTP, also known as the

Countywide Transportation Plan) and the Transportation 2030 (T2030) Report, including priorities that emerged after T2030, including strategies to support equity, service improvements and traffic safety.

In 2013, the SFCTA adopted the most recent update of the Countywide Transportation Plan, which establishes the 30-year vision for San Francisco's transportation system. As documented in the SFTP, San Francisco's needs for transportation funding far exceed expected revenue from federal, state, regional and local sources. The SFTP, through its investment scenarios and policy recommendations proposed ways to invest the dollars we expect to have to most effectively make progress towards San Francisco's goals, but analysis showed that this progress is limited unless new revenues are identified. Therefore, the SFTP recommended a two-pronged revenue strategy: positioning San Francisco to compete well for new regional, state and federal sources, and seeking new locally—controlled sources.

Building on the SFTP analysis and recommendations, the Mayor's T2030 Task Force investigated what San Francisco could do to fix the transportation network and prepare it for the future; confirming that anticipated revenues were inadequate to meet those needs. The T2030 Report recommended a series of local funding sources (including two general obligation bonds, a sales tax, and a vehicle license fee) that, if approved by voters, would provide about \$3 billion to complete a suite of critical transportation infrastructure projects by 2030. San Francisco voters approved the first of the T2030 recommended measures in November 2014 by approving \$500 million general obligation bond, which will fund a range of projects that will reduce Muni travel time, make Muni less crowded and more reliable, and enhance safety on San Francisco's streets. At the same election, San Francisco voters approved Proposition B, which requires the city to adjust funding for transportation each year based on population growth, and these funds are helping to improve transit and make our streets safer for all.

While San Francisco is making real improvements in transit reliability, building safer streets, and improving the pavement condition of the street network, the transportation system is still in a need of significant investment to bring it into a state of good repair and to sustain it at such a level, and there is an urgent need to invest in near and long-term projects that relieve severe overcrowding on our local and regional transit systems such as Muni, BART and Caltrain to better serve current residents, employees and visitors, as well as an urgent need for the resources to efficiently expand service to fully utilize these capital resources and to ensure equitable provision of transit service and infrastructure investment to our community. These investments can be complemented with efforts and improvements to promote equitable transit-oriented development. Lastly, there remains a need for stable augmentation of funding to continue to invest in street resurfacing, safety improvements, and the pedestrian and bicycle networks.

The SFTEP for the use of Prop TBD funds was developed by the SFCTA in close coordination with the SFMTA, with technical assistance and input from other city agencies, regional transit operators serving San Francisco, the Metropolitan Transportation Commission, and others serving on the SFCTA Technical Working Group. The Expenditure Plan was recommended by the SFCTA Board on [MONTH DAY, YEAR].

By providing the required local match, Prop TBD is anticipated to leverage about \$10-15 billion in federal, state, regional and other local funding for transportation projects in San Francisco.

The SFTEP is a list of transportation projects and programs that will be given priority for Prop TBD funding. As such the SFTEP shall be amended into the Capital Improvement Program of the Congestion Management Program, developed pursuant to section 65089 of the California Government Code. These projects and programs are intended to help

1	implement th	ne long-range vision for the development and improvement of San Francisco's
2	transportation	on system, as articulated in the SFTP and its updates.
3	The S	SFTP, San Francisco's Countywide Transportation Plan is a living document,
4	updated on a	a regular basis with input from San Francisco agencies, regional transit operators,
5	and regional	and state transportation agencies, the public and other interested stakeholders to
6	identify and	address changing needs and regional trends, and align them with available
7	funding.	
8	C.	GOALS
9	The p	ourpose of the SFTEP is to implement the priorities of the Countywide
10	Transportation	on Plan and the Transportation 2030 Report through investment in a set of
11	projects and	programs that include planning, maintenance and rehabilitation of, and
12	improvemen	ts to the city's multi-modal transportation system. Goals of the plan include:
13	•	Maintain existing assets in a state-of-good repair;
14	•	Improve travel time and reliability;
15	•	Reduce costs and geographic and socio-economic disparities;
16	•	Serve planned growth; and
17	•	Improve safety and accessibility of the system.
18		
19	In add	dition to the above goals, development of the SFTEP was guided by the following
20	four SFTEP	Principles and two Funding Principles.
21		
22	SFTE	P Principles
23	•	Build on the SFTP (2013) and the T2030 Report.

Embrace City and agency initiatives passed since T2030, including strategies to

support equity, affordability and traffic safety.

24

- Address progress and changes to project/program information.
 - Increase focus on core capacity, system resiliency and equity given rapid growth and affordability pressures.

Funding Principles

- Provide a bridge between 2017 and future revenue measures
 - Updated and extended Prop K Expenditure Plan, as early as November
 2023
 - Vehicle License Fee (recommended by T2030, as early as 2018)
 - 2024 General Obligation Bond (recommend by T2030)
 - New bridge toll (Regional Measure 3, estimated as early as 2018)
- Consider funding eligibility, particularly for those projects and programs that are
 not eligible for other key funding sources (e.g. Muni light rail vehicles and BART
 cars are not eligible to be funded by general obligation bonds.

D. STRUCTURE

The SFTEP is organized into six sections. Section 1: Introduction provides background on the Plan's purpose and goals. Section 2: Plan Summary provides the Plan's investment detail by category. Section 3: General Provisions provides further context on the Plan's policies and administration. Section 4: Description of Programs contains detailed descriptions of the programs and the types of items that are eligible for funding under each of them. Section 5: Implementation Provisions describes the process for prioritizing and allocating funds following adoption of the Plan. Section 6: Amendment Process, deals with the mechanisms for amending the Expenditure Plan.

2. PLAN SUMMARY

Table 1 summarizes the half-cent sales tax revenue allocations by program in constant 2016 dollars. The SFTEP is fiscally constrained to the total funding expected to be available for each category. If revenues are higher or lower, the amount of funding available to each category shall be consistent with the program percentages over the life of the Expenditure Plan period.

Adoption of an ordinance to establish an additional one-half of one-percent sales tax is necessary in order to fund the programs listed in Table 1. The tax shall be continued for the period of implementation of the SFTEP, but not to exceed 25 years.

Table 1: San Francisco Transportation Expenditure Plan Summary 2016 \$Millions

<u> </u>	•		
	Total	Total Prop	
	Expected	TBD	% of Prop
	Funding ¹	Funding ^{2,3}	TBD
Program	(\$ millions)	(\$ millions)	Funding ³
1. Transit Service and Affordability	TBD	\$250	10%
2. Muni Fleet, Facilities and Infrastructure Repair and Maintenance	TBD	\$500	20%
3. Transit Optimization and Expansion	TBD	\$250	10%
4. Regional Transit and Smart System Management	TBD	\$375	15%
5. Vision Zero Safer and Complete Streets	TBD	\$250	10%

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6. Street Resurfacing ²	TBD	\$875	35%
TOTAL	TBD	\$2,500	100%

Notes:

- 1. Total Expected Funding represents project costs or implementable phases of multi-phase projects and programs based on a forecast of expected revenues from existing federal, state and local sources, plus \$2.5 billion (2016 \$'s) in new sales tax revenues over the 25 year life of the SFTEP. The amounts in this column are provided in fulfillment of Sections 131051 (a)(1), (b) and (c) of the California Public Utilities Code.
- The "Total Prop TBD" fulfills the requirements in Section 13105 (d) of the
 California Public Utilities Code. [TO BE UPDATED WITH INFORMATION PENDING FROM
 THE REGION'S PLAN BAY AREA UPDATE.]
- 3. Street resurfacing revenues are assumed at \$35 million (2016 \$'s) annually at the inception of the Expenditure Plan period to help ensure that the city reaches and maintains a Pavement Condition Index score of 70, meaning that a majority of city streets will be in good condition. There are several new revenue measures that could be established in the short- to mid-term that could provide dedicated funds for street resurfacing including, but not limited to: a San Francisco Vehicle License Fee recommended by the Mayor's Transportation 2030 Report (could be approved as soon as 2018), an increased toll on Bay Area state-owned toll bridges (Regional Measure 3, anticipated as soon as 2018), the amendment of the Prop K Transportation Expenditure Plan for the one-half of one-percent sales tax authorized in 2003 (Expenditure Plan can be amended as soon as 2023), and various options under consideration at the state level. If any of these or other local, regional or state revenues measures are put into place with dedicated funds for street resurfacing during the SFTEP period, each fiscal year the amount of funds provided to the Street

1	Resurfacing program will be decreased by the amount of new dedicated local revenues
2	available for street resurfacing, de-escalated to 2016 \$'s, subject to a minimum floor of 11% of
3	Total Prop TBD Funding or \$280 million (2016 \$'s) in Prop TBD revenue. The increment of
4	freed up Street Resurfacing funds will be distributed to the remaining Prop TBD categories as
5	follows:

7	Transit Service and Affordability	42%
8	Muni Fleet, Facilities and Infrastructure Repair and Improvements	4%
9	Transit Optimization and Expansion	33%
10	Regional Transit and Smart System Management	0%
11	Vision Zero Safer and Complete Streets	21%
12	Street Resurfacing	0%
13	Total 10	00%

3. DESCRIPTION OF PROGRAMS

This section contains detailed descriptions of the programs in the SFTEP, and the types of items that are eligible for funding under each of them.

18 A. PERCENTAGE DISTRIBUTION OF PROP TBD REVENUES TO PROGRAMS

The percentage distribution of Prop K TBD funds and estimated Total Prop TBD (2016 \$s) for each program corresponds to those amounts shown in Section 2, Table 1. See Section 3.B. below for language related to a changed distribution of funds which would be triggered if new dedicated funds for Street Resurfacing are secured. The program descriptions would not change. This language is also included as note 3 to Table 1.

1. Transit Service and Affordability......10% (\$250M)

Expenditures in this program could be used to ensure SFMTA's ability to continue to support Free Muni for Low Income Youth, Senior and Disabled Riders Programs; to help implement recommendations from the Muni Equity Strategy (updated on a two-year basis); to fund late night transportation services for night and swing shift workers; and to provide transit service for at-risk populations such as paratransit, mobility management and lifeline programs. Expenditures in this program could also help supplement SFMTA's Rainy Day Reserve to provide protections against service cuts in future years.

2. Muni Fleet, Facilities and Infrastructure Repair and Improvements.....20% (\$500M)

Expenditures in this program shall prioritize measures to mitigate identified deficiencies in transit service to low-income and transit-dependent communities. Expenditures in this program will leverage federal and state funds to help keep Muni's fleet of buses, historic street cars, trains, and paratransit vehicles in a state-of-good repair through timely vehicle replacement and rehabilitation to ensure that the transit system is reliable, and to expand the fleet through additional vehicles and larger vehicles to reduce crowding on the most popular routes and meet future demand.

Expenditures in this program also will be used for SFMTA facilities, including stations and associated escalators and elevators, which are critical to support the SFMTA's ability to: provide reliable transit service and safe, comfortable and coordinated access to transit; maintain street infrastructure; and store, protect, and maintain its diverse transit fleet.

Further, expenditures in this program will improve reliability and safety on Muni through the replacement and rehabilitation of rails, overhead wires and associated fixed guideway infrastructure for light rail, trolley coaches, historic streetcars, and cable cars.

In any fiscal year in which the SFMTA would otherwise be required to adopt service reductions as part of its budget, the SFMTA may transfer up to 25% of the annual percentage allocation of funds that would otherwise go to this program to the Transit Service and Affordability program to offset those service reductions, in an amount not to exceed the cost of maintaining the services.

3. Transit Optimization and Expansion......10% (\$250M)

Expenditures in this program will include smaller capital investments to improve the efficiency and enhance the service of the existing transit system as well as large transit expansion projects needed to meet current demand and accommodate future growth. Expenditures in this program would help plan, design and deliver enhancement and expansion projects. Expenditures in this program may also include planning, design and capital funding for supportive transportation infrastructure for transit-oriented development.

Examples of eligible projects include but are not limited to: Muni Forward, bus rapid transit projects on major corridors (e.g. Geary and Geneva), Better Market Street, rail capacity improvements such as those recommended by the SFMTA Rail Capacity Strategy and the region's Core Capacity Transit Study, major regional projects (e.g. Caltrain electrification, second Transbay crossing and Downtown Extension), ferry infrastructure and vessels and future subway projects (e.g. T-Third rail extension to Fisherman's Wharf, Geneva Avenue rail service, Geary Avenue Light Rail Transit, Upper Market to Mission Bay/SOMA Light Rail Transit, under-grounding existing rail lines) prioritized by the Long Range Transportation Planning Program, the SFTP and its updates, all of which will be developed in collaboration with local and regional agencies

4. Regional Transit and Smart System Management......15% (\$375M)

To improve reliability and reduce overcrowding, as well as to encourage continued use of transit by new residents and employees, regional transit capacity and system resiliency

must grow. The priority for expenditures in this program will be to fund San Francisco's contribution to BART expansion vehicles (provided comparable matching funds are provided by Alameda and Contra Costa Counties, and subject to BART commitment of \$100 million in San Francisco station and access improvements) and to support the electrification of Caltrain. If partners don't provide match for the BART expansion vehicles by 2024 or if less local funds are needed, expenditures in this program could also fund long-range regional network planning and design studies and/or capital improvements such as crossover tracks, passing tracks, turnbacks and station modernization improvements that increase core system reliability and capacity.

Expenditures in this program will also enable Smart System Management by funding technology-enabled system corridor management strategies for US 101, I-280 and I-80 (and associated surface arterial approach/distribution streets) to increase reliability for buses and high-occupancy vehicles through carpool/managed lanes and traveler information systems; and by funding a broad countywide toolkit of demand management strategies designed to promote sustainable travel choices such as carpooling, ride-sharing, transit/HOV use and active transportation modes through education campaigns, traveler incentives and fare/pricing strategies, policies and capital investments.

5. Vision Zero Safer and Complete Streets......10% (\$250M)

Expenditures in this program will fund improvements primarily on the high-injury network that advance safety and enhance street users' experience, including implementation of the bike strategy, upgraded traffic signals with pedestrian countdown signals, and audible signals to improve accessibility and safety, and improve pedestrian safety through data-driven improvements. Safety upgrades may be paired with streetscape enhancements, such as landscaping on curb extensions at bus stops. Examples of work eligible in this program range from corridor-wide improvements, to stand-along pedestrian improvements at individual high-

injury intersections and/or freeway ramp/local street connections. Expenditures in this program may also fund Vision Zero public education and evaluation.

Expenditures in this program also will optimize movement on San Francisco streets by keeping traffic infrastructure and signals in a state of good repair through replacement and upgrade of deteriorated or obsolete signal hardware; by bringing advanced technology to the traffic signal system with tools that allow real-time traffic management, transit and emergency vehicle signal priority, and expedite maintenance; and by adding pedestrian countdown and audible signals as part of signal upgrades.

6. Street Resurfacing......35% (\$875M)

Expenditures in this program will help ensure the city reaches and maintains a Pavement Condition Index (PCI) score of 70, meaning that the majority of city streets will be in good condition. Keeping street surfaces in good repair has safety and financial benefits for people traveling by all modes of transportation citywide. Conversely, deteriorated roadways have a negative impact on all users and the more roads deteriorate, the more costly they become to repair.

Total......100% (\$2500M)

B. TRIGGER FOR A REVISED PERCENTAGE DISTRIBUTION OF PROP TBD REVENUES TO PROGRAMS

Street resurfacing revenues are assumed at \$35 million (2016 \$'s) annually at the inception of the Expenditure Plan period to help ensure that the city reaches and maintains a Pavement Condition Index score of 70, meaning that a majority of city streets will be in good condition. There are several new revenue measures that could be established in the short- to mid-term that could provide dedicated funds for street resurfacing including, but not limited to: a San Francisco Vehicle License Fee recommended by the Mayor's T2030 Report (could be

approved as soon as 2018), an increased toll on Bay Area state-owned toll bridges (Regional
Measure 3, anticipated as soon as 2018), the amendment of the Prop K Transportation
Expenditure Plan for the one-half of one-percent sales tax authorized in 2003 (Expenditure
Plan can be amended as soon as 2023), and various options under consideration at the state
level. If any of these or other local, regional or state revenues measures are put into place
with dedicated funds for street resurfacing during the SFTEP period, each fiscal year the
amount of funds provided to the Street Resurfacing program will be decreased by the amount
of new dedicated local revenues available for street resurfacing, de-escalated to 2016 \$'s,
subject to a minimum floor of 11% of Total Prop TBD Funding or \$280 million (2016 \$'s) in
Prop TBD funds. The increment of freed up Street Resurfacing funds will be distributed to the
remaining Prop TBD categories as follows:

13	Transit Service and Affordability	42%
14	Muni Fleet, Facilities and Infrastructure Repair and Improvements	4%
15	Transit Optimization and Expansion	33%
16	Regional Transit and Smart System Management	0%
17	Vision Zero Safer and Complete Streets	21%
18	Street Resurfacing	0%
19	Total	100%

4. GENERAL PROVISIONS

A. SALES TAX REVENUES

The operative date of the SFTEP shall be established pursuant to Section 131105 of the California Public Utilities Code. The one-half percent local sales tax dedicated to

transportation improvements (approved in November 2016 as Proposition TBD) shall be continued for the duration of the SFTEP, but not to exceed 25 years.

Revenues are estimated over the 25-year period of the SFTEP. The conservative projection puts the total revenue level at \$2.5 billion (2016 dollars) and assumes a modest growth rate. This projection builds in recessions and recoveries based on historical trends and economic conditions as well as tax policy.

B. RESTRICTION OF FUNDS

Sales tax revenues shall be used solely for the projects and purposes set forth in the SFTEP and its amendments and for the administration thereof. Sales tax revenues shall be spent on capital projects rather than to fund operations and maintenance of existing transportation services, unless otherwise expressly specified in the Plan Description. In accordance with enabling legislation and adopted principles, sales tax revenues generated pursuant to this plan shall be subject to the following restrictions:

i. NO SUBSTITUTION

- a. In accordance with the legislative intent expressed in California Public Utilities Code Section 131100 sales tax proceeds shall not replace funds previously provided by property tax revenues for public transportation. As a condition for allocation of funds by the SFCTA, the recipient department or agency shall certify to the SFCTA that the funds will not be substituted for property tax funds which are currently utilized to fund existing local transportation programs.
- b. Proceeds from the sale or liquidation of capital assets funded with sales tax revenues shall be returned to the SFCTA in proportion to the contribution of sales tax revenues to the total original cost of the asset, for re-allocation to eligible expenses within the categories from which funds were expended for the original investment.

ii. NO EXPENDITURES OUTSIDE SAN FRANCISCO

No sales tax funds shall be spent outside the limits of the City and County of San Francisco, except for cases that satisfy all of the following conditions, and subject to a possible need for amendment of state law:

- a. Quantifiable Benefit: The project, service, or programmatic category is included in the Expenditure Plan, and planning or other studies, developed in order to enable its implementation, demonstrate that there will be a quantifiable benefit to the City and County's transportation program from the expenditure of funds outside the City and County. A quantifiable benefit is defined as a measurable increase in the cost effectiveness of a project or group of transportation projects and or services at least partially funded with sales tax funds, located along the corridor or in the immediate geographic area of the City and County where the project in question is proposed to occur.
- b. Expenses Matched By Other Counties: The proposed expense is matched by funding from the county where the expenditure of sales tax funds is proposed to be made.

Should transportation projects or services contemplated in the plan require the participation of other counties for any phase of project planning or implementation, the SFCTA shall work cooperatively with the Mayor's Office and affected county or counties to ensure coordination and successful project implementation.

C. BONDING AUTHORITY

The SFCTA shall be authorized to issue, from time to time, limited tax bonds pursuant to the provisions of California Public Utilities Code Sections 131109 et seq. in a total outstanding aggregate amount not to exceed \$2.00 billion, payable from the sales tax revenues generated by the local sales and use tax adopted by Prop TBD. The SFCTA's

1	bonding cap	pacity shall be separate and distinct from that of the City and County of San
2	Francisco.	
3	D.	ADMINISTRATION BY THE SAN FRANCISCO COUNTY TRANSPORTATION
4	AUTHORIT	Υ
5	The S	SFCTA shall allocate, administer and oversee the expenditure of the Prop TBD
6	sales tax fur	nds.
7	E.	ELIGIBLE RECIPIENTS OF FUNDS
8	Only	public agencies are eligible to receive allocation of sales tax funds.
9	F.	SUPPORT OF ADJACENT COUNTIES
10	It is d	leemed unnecessary to seek the support of adjacent counties by requesting them
11	to develop t	heir own Transportation Expenditure Plans because San Mateo, Alameda, Contra
12	Costa and N	Marin Counties have already adopted Transportation Expenditure Plans.
13	G.	ENVIRONMENTAL REVIEW
14	Envir	onmental reporting, review and approval procedures as provided for under the
15	National En	vironmental Policy Act (NEPA), and/or the California Environmental Quality Act
16	(CEQA), and	d other applicable laws shall be carried out as a prerequisite to the implementation
17	of any proje	ct to be funded partially or entirely with sales tax funds.
18	H.	ACCOUNTABILITY AND TRANSPARENCY
19	i.	FINANCIAL AUDITS: The SFCTA shall ensure a post audit of its financial
20	transactions	and records at least annually by an independent certified public accountant.
21	ii.	ANNUAL REPORT: Pursuant to California Public Utilities Code Section 131303,
22	the SFCTA	shall prepare and adopt an annual report by January 1 of each year on the
23	progress to	achieve the objectives of completion of the projects in the SFTP. The public

annual report shall summarize revenues collected; expenditures by program, costs related to

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- financing, if applicable; administrative costs; and accomplishments and benefits realized by the program.
 - iii. REQUIREMENTS FOR FUND RECIPIENTS: All recipients of sales tax funds allocated to Expenditure Plan programs will be required to complete certain requirements as established by the SFCTA including reporting, completing audits, and complying with attribution requirements.
 - iv. CITIZENS OVERSIGHT COMMITTEE: The SFCTA's Citizens Advisory

 Committee shall serve as the Citizens Oversight Committee and will provide independent and public oversight of all expenditures of Prop TBD sales tax funds by SFCTA or recipient agencies. The committee shall assist with defining criteria and priorities for implementing the Expenditure Plan consistent with the intention of Prop TBD; review the allocation of sales tax funds; monitor the SFCTA's programs; and review annual audits.

5. IMPLEMENTATION PROVISIONS

A. STRATEGIC PLAN

This Expenditure Plan identifies eligible expenditures for each of the six programs listed in Table 1 in Section 3. Prior to allocation of any sales tax funds, the SFCTA shall prepare, in close coordination with all other affected planning and/or implementation agencies, a Strategic Plan for the use of the sales tax revenues, for review and adoption by the SFCTA Board. The Strategic Plan shall include a 5-year prioritized program of projects (see subsection C of Section 5) for each of the following programs: Muni Fleet, Facilities and Infrastructure Repair and Improvement; Transit Optimization and Expansion; Regional Transit and Smart System Management; and Vision Zero Safer and Complete Streets.

As part of the Strategic Plan development process, the SFCTA shall adopt, issue and update detailed guidelines for the development of prioritized programs of projects.

B. CATEGORIES EXEMPT FROM PRIORITIZATION PROCESS

The Transit Service and Affordability and Street Resurfacing categories are exempt from the 5-year prioritization process. In the Strategic Plan, funds shall be programmed to these categories annually based on the percentage share of annual program revenues shown in sub-section A of Section 3 or as modified by sub-section B of Section 3. Funds will be allocated annually as a lump sum to the San Francisco Municipal Transportation Agency (SFMTA) (or its successor) for the first of the aforementioned programs and to San Francisco Department of Public Works (SFDPW) (or its successor) for the last program. Allocations shall be accompanied by a list of projects that the recipient agency intends to fund with the sales tax revenues. After the first year's allocation, all subsequent fiscal year allocations also must be accompanied by an annual report of expenditures prepared by the recipient agency to be presented to the SFCTA Citizens Advisory Committee and relevant Board committee.

Funds not expended within five years of allocation by the SFCTA Board will automatically be de-obligated by the SFCTA and reprogrammed to the same program in a future year. Failure to comply with reporting and auditing requirements may result in the SFCTA withholding annual allocations until such time as the recipient conforms to this requirement.

For programs exempt from the 5-year prioritization process, if SFMTA or SFDPW wish to advance funds for programming and allocation more quickly than on a pay-go basis, the agency must develop a 5-year prioritized program of projects for review and adoption by the SFCTA Board as described in sub-section C below and a corresponding Strategic Plan amendment to support the advancement of funds.

C. PRIORITIZATION PROCESS

For programs where more than one agency or department may be an eligible recipient of Prop TBD funds, the SFCTA Board shall designate a lead agency to coordinate

development of the 5-year prioritized programs of projects and prior to each of their subsequent updates, for each program.

Prior to allocation of any sales tax funds, the lead agency shall prepare, in close consultation with all other affected planning and implementation agencies, the SFCTA's Technical Working Group, and the SFCTA, a 5-year prioritized program of projects including budget, scope and schedule; consistent with the Strategic Plan for use of the Prop TBD funds, for review and adoption by the SFCTA Board. Program goals shall be consistent with the current SFTP and with the City's General Plan. Prior to adoption by the SFCTA Board, the lead agency and SFCTA staff will present the draft 5-year prioritized programs of project to the City's Capital Planning Committee for review and input.

The program of projects shall at a minimum address, the following factors:

- i. Project readiness, including schedule for completion of environmental and design phases; well-documented preliminary cost estimates, and documented community support as appropriate;
- ii. Compatibility with existing and planned land uses, and with adopted standards for urban design and for the provision of pedestrian amenities; and supportiveness of planned growth in transit-friendly housing, employment and services.
- iii. A prioritization mechanism to rank projects within the program, addressing, for each proposed project:
 - Relative level of need or urgency
 - b. Cost Effectiveness
- c. A fair geographic distribution that takes into account the various needs of San Francisco's neighborhoods.

iv. Funding plan, including sources other than Prop TBD.

The lead agency shall conduct appropriate public outreach to ensure an inclusive planning process for the development of the program of projects, as well as general plan referral or referral to any City Department or Commission as required.

The lead agency shall also identify appropriate performance measures to ensure that progress is made in meeting the goals and objectives of the program. These performance measures shall be developed in collaboration with the SFCTA and shall be consistent with the SFCTA's Congestion Management Program.

The lead agency shall be eligible for planning funds from this category for the purpose of completing the development of the program of projects.

Lead agencies will also be encouraged to explore alternative and non-traditional methods for project and service delivery where they offer opportunities for increased cost-effectiveness, desirable allocations of risk, and/or shortened project delivery timelines.

6. AMENDMENT PROCESS

The SFCTA Board may, by a 2/3 vote, recommend adoption of an amended Expenditure Plan any time after fifteen years after the effective date of adoption of the SFTEP. The SFCTA Board shall appoint an Expenditure Plan Advisory Committee to provide input on an amended Expenditure Plan. The amendment process shall follow the provisions of Division 12.5 of the California Public Utilities Code, except that the Expenditure Plan shall require the approval by the Mayor of the City and County of San Francisco.

Section 4. Pursuant to Article XIII C of the Constitution of the State of California and Section 7285 of the California Revenue and Taxation Code, this ordinance shall be submitted to the qualified electors of the City and County of San Francisco at the November 8, 2016 general municipal election.

1	Section 5. This ordinance shall be effective at the close of the polls of the November
2	8, 2016 general election.
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4	APPROVED AS TO FORM:
5	DENNIS J. HERRERA, City Attorney
6	By:
7	Carole F. Ruwart Deputy City Attorney
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Attachment 3 Schedule for Approval of a Half-Cent Transportation Sales Tax Measure*

Date	Meeting**	Description
		Approved resolution calling for development of an Expenditure
05/17/16	BOS	Plan
05/24/16	SFCTA Board	Information/Input
05/25/16	SFCTA CAC	Information/Input
		Introduced initial draft sales tax ordinance and Expenditure Plan
06/07/16	BOS	(sits 30 days before committee)
06/15/16	SFCTA CAC - Special Meeting	Information/Input
	SFCTA Plans & Programs	
06/21/16	Committee	Information/Action
06/21/16	Public Open House	SFCTA Hearing Room, Time TBD
06/22/16	SFCTA CAC	Information/Action
06/28/16	SFCTA Board	Information/Action [Planned public hearing on Expenditure Plan]
06/29/16	Telephone Town Hall	6-7:00 p.m.
06/30/16	Telephone Town Hall	12-1:00 p.m.
	MTC - Either Planning or	
07/08/16	Legislation Committee	Action to recommend approval of the Expenditure Plan
		Approve Expenditure Plan and ask BOS to place sales tax
07/12/16	SFCTA Board - Special Meeting	ordinance on November 2016 ballot
		Hearing on sales tax ordinance and Expenditure Plan, introduce
07/13/16	BOS Budget & Finance	any amendments (triggers need for another hearing)
		Recommend placing sales tax ordinance and Expenditure Plan on
07/20/16	BOS Budget & Finance	the November 2016 ballot (last committee date)
07/26/16	BOS	First vote on sales tax ordinance and Expenditure Plan
07/27/16	MTC - Full Commission	Approve Expenditure Plan
08/02/16	BOS	Second vote on sales tax ordinance and Expenditure Plan
		Deadline for Mayor to sign and BOS to submit ordinance to the
08/05/16	BOS/Mayor	Director of Elections
11/8/2016	Election	Requires 2/3 voter approval to pass

^{*}Dates are subject to change. The most up to date information is available on SFCTA website at www.sfcta.org.

**Acronyms include:

BOS – San Francisco Board of Supervisors

MTC – Metropolitan Transportation Commission

SFCTA – San Francisco County Transportation Authority

SFCTA CAC – Citizens Advisory Committee