



Proposition L

Ordinance approving a new 2022 Transportation Expenditure Plan for the County Transportation Authority and submitting to the voters at an election to be held on November 8, 2022, an Ordinance amending the Business and Tax Regulations Code to continue in effect the existing local transactions and use tax at the existing rate of 0.5% for 30 years to fund transportation improvements under the 2022 Transportation Expenditure Plan; increasing the Transportation Authority’s appropriations limit by the amount collected under the transactions and use tax for four years from November 8, 2022; authorizing the Transportation Authority to issue limited tax bonds secured by transactions and use tax revenues; affirming the Transportation Authority’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman font*.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. History and Background.

(a) Pursuant to California Public Utilities Code (“Public Utilities Code”) Section 131000 *et seq.*, and as approved by the voters at the November 7, 1989 election as Proposition B, the San Francisco County Transportation Authority (“Authority”) imposed a local retail transactions and use tax (“tax”) of 0.5% for 20 years, with the revenues of the tax to be spent on projects specified in the Transportation Expenditure Plan adopted by the Authority and the issuance of up to \$742,000,000 in limited tax bonds by the Authority. At the November 4, 2003 election, the voters approved Proposition K, which adopted a New Transportation Expenditure Plan that superseded Proposition B’s Transportation Expenditure Plan and authorized the Authority to issue up to an aggregate amount of \$1,880,000,000 of limited tax bonds, funded by continuing the tax at the same 0.5% rate, subject to approval of future updates of the New Transportation Expenditure Plan pursuant to Public Utilities Code Section 131056.

(b) As provided in Public Utilities Code Section 131056, the Authority has prepared a new county transportation expenditure plan (“2022 Transportation Expenditure Plan”), which will supersede the New Transportation Expenditure Plan adopted as part of Proposition K in November 2003. The 2022 Transportation Expenditure Plan provides for funding of transportation projects for 30 years, and has



been recommended by the Expenditure Plan Advisory Committee established by the Authority, approved by the Metropolitan Transportation Commission, and endorsed by the Authority. The Authority has recommended that the Board of Supervisors submit to the voters for approval by a two-thirds majority at the November 8, 2022 election the 2022 Transportation Expenditure Plan, the continuation of the Authority's existing 0.5% tax to fund the 2022 Transportation Expenditure Plan, and the authority to issue limited tax bonds in an aggregate principal amount not to exceed \$1,910,000,000.

(c) This ordinance should be interpreted to achieve the following purposes:

(1) To continue the Authority in effect as currently constituted to impose the tax, administer the 2022 Transportation Expenditure Plan, and issue the authorized limited tax bonds at the Authority's discretion.

(2) To continue in effect the existing tax at the existing 0.5% rate to fund the 2022 Transportation Expenditure Plan for 30 years from the operative date of the amendments to Business and Tax Regulations Code Article 14 approved by the voters at the November 8, 2022 election in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Division 12.5 (commencing with Section 131000) of the California Public Utilities Code.

(3) To implement the 2022 Transportation Expenditure Plan, which supersedes the existing New Transportation Expenditure Plan adopted as Proposition K in November 2003. The 2022 Transportation Expenditure Plan sets forth the transportation projects, programs, and other improvements to be funded with the revenues from the tax, and specifies eligibility and other conditions and criteria under which such revenues shall be made available for expenditure.

(4) To authorize the issuance from time to time of limited tax bonds not to exceed an aggregate principal amount of \$1,910,000,000 to finance the projects specified in the 2022 Transportation Expenditure Plan.

(5) To increase the appropriations limit for the Authority pursuant to California Constitution Article XIII B.

Section 2. Article 14 of the Business and Tax Regulations Code is hereby amended by revising Sections 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, and 1419, and by adding Section 1420, to read as follows:

SEC. 1401. TITLE; TAX RATE; USE OF PROCEEDS.

This ordinance(a) The tax imposed by this Article 14 shall be known as the "San Francisco County Transportation Authority - Reauthorization Ordinance Tax," and may be referred to herein as the "Tax," which continues in effect the existing local transactions and use tax (commonly referred to as the "sales and use tax") approved by the voters as Proposition B at the November 7, 1989 election and authorizes implementation of a New Transportation Expenditure Plan for the use of the additional revenues:

(b) The Tax is a local retail transactions and use tax of 0.5%, as provided in Sections 1406 and 1408 of this Article 14.

(c) The proceeds from the Tax shall be spent solely for the purposes set forth in Section 1414 of this Article 14.

SEC. 1402. DEFINITIONS.

For the purposes of this ordinance Article 14, the following words shall have the meanings ascribed to them by this Section: (a) "Authority:" means *The existing San Francisco County Transportation Authority;* and (b) "District:" means *The City and County of San Francisco.*

(c) "Effective date." The date of adoption of this ordinance which shall take effect at the close of the polls on the day of the election scheduled for November 4, 2003 at which the proposition is adopted by a two-thirds vote of the electors voting on the measure.

(d) "Operative date." The date that this ordinance becomes

operative, which shall be the first day of the first calendar quarter commencing more than 120 days after adoption of this ordinance at the election scheduled for November 4, 2003, pursuant to Public Utilities Code Section 131105(a).

SEC. 1403. PURPOSE.

Pursuant to Division 12.5 of the Public Utilities Code, the San Francisco County Transportation Authority, upon the unanimous recommendation of the Expenditure Plan Advisory Committee established by the Authority, has recommended that the Board of Supervisors submit to the voters of the City and County of San Francisco for their approval an ordinance which would, if so approved, continue in effect the existing local transactions and use tax of one-half of one percent approved by the voters as Proposition B at the November 7, 1989 election; authorize implementation of a New Transportation Expenditure Plan setting forth the projects to be funded over the next 30 years with revenues from the continuation of the tax; continue in effect the San Francisco County Transportation Authority; and authorize the San Francisco County Transportation Authority to issue limited tax bonds in a total outstanding aggregate amount not to exceed \$1,880,000,000. Hence, this ordinance should be interpreted so as to achieve the purposes set forth herein:

(a) To continue in effect the San Francisco County Transportation Authority:

(b) To continue in effect the existing one-half of one percent transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Sections 131100 et seq. of the California Public Utilities Code, which directs the County Board of Supervisors to adopt the tax ordinance for voter approval, exercising the taxing power granted to the San Francisco County Transportation Authority in Public Utilities Code Section 131102 on behalf of said Authority:

(c) To implement a New Transportation Expenditure Plan which supersedes the existing Transportation Expenditure Plan adopted in 1989, sets forth the transportation projects, programs and other improvements to be funded over the next 30 years with the revenues resulting from the continuation of the tax, specifies eligibility and other conditions and criteria under which such revenues shall be made available, and makes provisions for the adoption of future expenditure plan updates:

This Article 14 is intended to achieve the following, among other purposes, and directs that the provisions of this Article be interpreted to accomplish these purposes:

(d)(a) To incorporate provisions 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 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code.

(e)(b) To impose a transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Division 12.5 (commencing with section 131000) of the California Public Utilities Code and provide a measure therefor that can be administered and collected by the State Board of Equalization California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Tax.

(f)(c) To authorize administration of a transactions and use tax in a manner that will, to the highest degree possible consistent with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes Tax and at the same time minimize the burden of recordkeeping upon persons subject to taxation under the provisions of this ordinance Article 14.

~~(g) To improve or cause the improvement, construction, maintenance, operation, development of and/or planning for, transportation projects facilities and/or programs contained in the New Transportation Expenditure Plan recommended by the Expenditure Plan Advisory Committee and adopted by the Board of Supervisors of the City and County of San Francisco, which plan is incorporated here by this reference as though fully set forth herein, and as that Plan may be amended from time to time pursuant to applicable law.~~

~~(h) To continue this tax pursuant to the authority granted by Section 131102 of the Public Utilities Code, permanently and subject to approval of future updates of the New Expenditure Plan pursuant to Section 131056 of the Public Utilities Code.~~

~~(i) To authorize the issuance from time to time of limited tax bonds not to exceed a total outstanding aggregate amount of \$1,880,000,000 to finance the projects specified in the Plan.~~

~~(j) To establish an expenditure limit for the Authority pursuant to California Constitution Article XIII B.~~

SEC. 1404. CONTINUATION OF ADMINISTRATION BY AUTHORITY.

Upon voter approval of ~~this ordinance~~ the 2022 Transportation Expenditure Plan and the amendments to this Article 14 passed by the voters at the November 8, 2022 election, the Authority shall continue in effect as currently constituted immediately prior to that voter approval except as otherwise provided by law. The Authority shall have all of the powers set forth in Division 12.5 (commencing with Section 1311000) of the California Public Utilities Code, all of the powers set forth in the ~~New~~ 2022 Transportation Expenditure Plan, and all powers incidental or necessary to imposing and collecting the ~~tax~~ tax and administering the ~~tax~~ tax proceeds and the 2022 Transportation Expenditure Plan, and causing and overseeing the delivery of the transportation improvements therein contained. ~~The Authority may allocate and reallocate the tax proceeds to meet project cash flow needs consistent with the provisions of the Plan. In the event a project is infeasible, the Authority shall reallocate the tax proceeds for that project to other projects in accordance with the provisions of the Plan.~~

SEC. 1405. CONTRACT WITH STATE.

Prior to ~~the operative date~~ April 1, 2023, the Authority shall contract with the ~~State Board of Equalization~~ California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of the tax, in which case the operative date of the 2022 Transportation Expenditure Plan and the amendments to this Article 14 passed by the voters at the November 8, 2022 election shall be April 1, 2023 ~~transactions and use tax authorized by this ordinance~~; provided that, if the Authority ~~shall not have~~ has not contracted with the ~~State Board of Equalization~~ California Department of Tax and Fee Administration prior to ~~the operative date~~ April 1, 2023, it shall nevertheless so contract and in such a case the operative date of the 2022 Transportation Expenditure Plan and the amendments to this Article 14 passed by the voters at the November 8, 2022 election shall be the first day of the first calendar quarter following the execution of such a contract.

SEC. 1406. TRANSACTIONS TAX AND RATE OF 0.5% ONE-HALF OF ONE PERCENT.

For the privilege of selling tangible personal property at retail, the ~~existing~~ tax is hereby ~~continued to be~~ imposed upon all retailers in this District at the rate of ~~0.5% one-half of one percent~~ of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this District on and after the operative date April 1, 1990.

SEC. 1407. PLACE OF SALE.

For the purposes of this ~~ordinance~~ Article 14, 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~~ the retailer's 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~~ California Department of Tax and Fee Administration.

SEC. 1408. USE TAX AND RATE OF 0.5% ONE-HALF OF ONE PERCENT.

The ~~existing~~ excise tax is hereby ~~continued to be~~ imposed on the storage, use, or other consumption in this District of tangible personal property purchases d from any retailer on and after ~~the operative date~~ April 1, 1990 for storage, use, or other consumption in this District at the rate of ~~0.5% one-half of one percent~~ of the sales price of the property. The sales price shall include delivery when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SEC. 1409. ADOPTION OF PROVISIONS OF STATE LAW.

Except as otherwise provided in this Article 14 ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the California Revenue and Taxation Code (~~commencing with Section 6001~~) are hereby adopted and made a part of this Article 14 ordinance as though fully set forth herein.

SEC. 1410. LIMITATIONS ON ADOPTION OF PROVISIONS OF STATE LAW AND COLLECTION OF USE TAXES.

(a) In adopting the provisions of Part 1 (commencing with Section 6001) of Division 2 of the California Revenue and Taxation Code, wherever the State of California is named or referred to as the taxing agency, the name of the Authority shall be substituted therefor. The substitution, however, shall not be made; ~~when~~

(1) When the word "State" is used as part of the title of the State Controller, the State Treasurer, ~~the State Board of Control, the State Board of Equalization, the State Treasury, or the Constitution of the State of California;~~

(2) When the result of that substitution would require action to be taken by or against the Authority or any agency, officer, or employee thereof rather than by or against the ~~State Board of Equalization~~ California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this ~~ordinance~~ Article 14;

(3) ~~the substitution shall not be made i~~ n those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:-

(A) ~~p~~ Provide an exemption from this tax with respect to certain sales, storage, use, or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use, or other consumption remains subject to tax by the ~~s~~ State under the provisions of ~~that code~~ Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code; or

(B) Impose this Tax with respect to certain sales, storage, use, or other consumption of tangible personal property which would not be subject to tax by the State under the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code;

(4) ~~the substitution shall not be made i~~ n Sections 6701, 6702; (except in the last sentence thereof), 6711, 6715, 6737, 6797, or 6828 of the California Revenue and Taxation Code.

(b) ~~The name of the word~~ "District" shall be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 and in the definition of that phrase in Section 6203. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this State or for delivery in the State by the retailer and all persons related to the



retailer that exceed \$500,000. For purposes of this subsection (b), a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

SEC. 1411. PERMIT NOT REQUIRED.

If a seller's permit has been issued to a retailer under Section 6067 of the California Revenue and Taxation Code Section 6067, an additional transactor's permit shall not be required by this ordinance Article 14.

SEC. 1412. EXEMPTIONS, EXCLUSIONS, AND CREDITS.

(a) There shall be excluded from the measure of the transactions †Tax and the use †Tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions †Tax gross receipts when they are from:

(1) Sales of tangible personal property other than fuel or petroleum products to operators of aircraft to be used or consumed principally outside the City and County of San Francisco county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this sState, the United States, or any foreign government.

(2) Sales of property to be used outside the District which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his the retailer's agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph subsection (b)(2), delivery to a point outside the District shall be satisfied:

(iA) with respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the California Vehicle Code, aircraft licensed in compliance with Section 21411 of the California Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 98509840) of the California Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his the buyer's principal place of residence.

(iiB) with respect to commercial vehicles, by registration to a place of business out-of-District, and a declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) the sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance April 1, 1990.

(4) a lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance April 1, 1990.

(5) for the purposes of subsections (#3) and (54) of this subsection (b), the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract upon notice, whether or not such right is exercised.

(c) There is are exempted from the use †Tax imposed by this ordinance Article 14, the storage, use, or other consumption in this District of tangible personal property:

(1) the gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) other than fuel or petroleum products, purchased by operators of aircraft and used or consumed by such operators

directly and exclusively in the use of such aircraft as common carriers of persons or property for hire of or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this sState, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the California Revenue and Taxation Code of the State of California.

(3) if the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance April 1, 1990.

(4) or if the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance April 1, 1990.

(5) for the purposes of subsections (3) and (4) of this subsection (c), storage, use, or other consumption, or possession of, or exercise of any right to or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time during which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph subsection (7) of this subsection (c), a retailer engaged in business in the District shall not be required to collect use †Tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

(7) "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the California Vehicle Code, aircraft licensed in compliance with Section 21411 of the California Public Utilities Code, or undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 98509840) of the California Vehicle Code. That retailer shall be required to collect use †Tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

(d) Any person subject to use †Tax under this ordinance Article 14 may credit against that †Tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer imposing liable for, a transactions tax pursuant to Part 1.6 (commencing with Section 7251) and Part 1.7 (commencing with Section 7280) of Division 2 of the California Revenue and Taxation Code with respect to the sale to the person of the property, the storage, use, or other consumption of which is subject to the use †Tax.

SEC. 1413. AUTHORIZATION AND LIMITATION ON ISSUANCE OF BONDS.

The Authority is hereby authorized to issue from time to time limited tax bonds pursuant to the provisions of California Public Utilities Code Sections 131109 et seq. in an total outstanding-aggregate principal amount not to exceed \$1,880,00,000 \$1,910,000,000.

SEC. 1414. USE OF PROCEEDS.

(a) The proceeds of the †Taxes imposed by this Article 14 prior to the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election ordinance shall be used solely for the projects and purposes set forth in the New Transportation Expenditure Plan approved by the voters as part of Proposition K at the November 4, 2003 election and its updates and for the administration thereof.

(b) The proceeds of the Taxes imposed by this Article 14 on or

after the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election shall be used solely for the following purposes:

(1) The projects and purposes set forth in the 2022 Transportation Expenditure Plan referenced in subsection (c) of this Section 1414, and any updates or revisions to such Plan expenditures or other expenditures allowed or permitted by Division 12.5 (commencing with Section 131000) of the California Public Utilities Code as those provisions existed on November 8, 2022, and Articles XIII A and XIII C of the California Constitution;

(2) To pay interest and principal on the bonds authorized and issued under Section 1413 of this Article 14; and

(3) To pay the cost of administration of the Tax.

(c) The 2022 Transportation Expenditure Plan is in Section 3 of the ordinance containing amendments to this Article 14 passed by the voters at the November 8, 2022 election, and, as part of that ordinance, shall be placed in the Appendix to the Administrative Code containing voter-approved measures.

In accordance with the legislative intent expressed in California Public Utilities Code Section 131100 such proceeds shall not replace funds previously provided by property tax revenues for public transportation purposes. As a condition for allocation of funds by the Authority, the recipient department or agency shall certify to the Authority that the funds will not be substituted for property tax funds which are currently utilized to fund existing local transportation programs.

SEC. 1415. APPROPRIATIONS LIMIT.

(a) Except as provided in subsection (b) of this Section 1415, for purposes of California Constitution Article XIII B of the State Constitution, the appropriations limit for the Authority for fiscal year 2003-04 and each year thereafter shall be \$485,175,000 unless that amount should be amended pursuant to applicable law.

(b) Pursuant to California Constitution Article XIII B and applicable laws, for four years from November 8, 2022, the appropriations limit for the Authority shall be increased by the aggregate sum collected by the levy of the Tax imposed under Article 14 of the Business and Tax Regulations Code.

SEC. 1416. AMENDMENTS.

All amendments to Part 1 (commencing with Section 6001) of Division 2 of the California Revenue and Taxation Code made subsequent to the effective date of this ordinance November 7, 1989 that which relate to sales and use taxes and that which are not inconsistent with Part 1.6 (commencing with Section 7251) and Part 1.7 (commencing with Section 7280) of Division 2 of the California Revenue and Taxation Code and all amendments to Part 1.6 and Part 1.7 of Division 2 of the California Revenue and Taxation Code, shall automatically become a part of this ordinance Article 14; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance Article 14.

SEC. 1417. PENALTIES.

Any person violating any of the provisions of this Article 14 ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a period of not more than six months, or by both such fine and imprisonment.

SEC. 1418. SEVERABILITY.

If any provision of this ordinance Article 14 or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance this Article 14 and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 1419. ENJOINING COLLECTION FORBIDDEN.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against the State of California or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this ordinance Article 14, or Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code, of any

tax or any amount of tax required to be collected.

SEC. 1420. TERMINATION DATES.

(a) The New Transportation Expenditure Plan approved by the voters as part of Proposition K at the November 4, 2003 election and the authority to levy the Tax imposed by this Article 14 prior to the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election shall terminate immediately prior to the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election.

(b) The 2022 Transportation Expenditure Plan, referenced in subsection (c) of Section 1414, and the authority to levy the Tax imposed by the amendments to this Article 14 passed by the voters at the November 8, 2022 election shall expire 30 years from the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election, unless earlier terminated as provided in California Public Utilities Code Section 131280, as that section existed on November 8, 2022.

Section 3. Pursuant to California Public Utilities Code Section 131055, the Board of Supervisors hereby adopts the following 2022 Transportation Expenditure Plan. In accordance with Business and Tax Regulations Code Article 14, Section 1414, subsection (c), the 2022 Transportation Expenditure Plan shall be placed in the Appendix to the Administrative Code containing voter-approved measures, as part of the ordinance containing amendments to Article 14 passed by the voters at the November 8, 2022 election.

2022 Transportation Expenditure Plan

1. Introduction

A. Summary. The 2022 Transportation Expenditure Plan identifies transportation improvements to be funded from the retail transactions and use tax ("sales tax") authorized under Public Utilities Code Section 131000 et seq. and passed by San Francisco voters at the November 2022 election as Proposition _ ("2022 Sales Tax"). The programs included in the 2022 Transportation Expenditure Plan are designed to be implemented over the next 30 years. The 2022 Transportation Expenditure Plan includes investments in five major categories: Major Transit Projects to support more reliable buses and trains and core capacity improvements; Transit Maintenance and Enhancements to help keep transit running safely and make connectivity, accessibility, and reliability improvements; Paratransit services for seniors and people with disabilities; Streets and Freeways to deliver safer, smoother streets including bicycle and pedestrian improvements and street resurfacing; and Transportation System Development and Management to fund programs that reduce congestion and improve air quality and transportation/land use coordination. Since 1990, San Francisco has had a one-half of one percent transactions and use tax authorized under Public Utilities Code Section 131000 et seq. dedicated to funding transportation improvements. San Francisco voters approved the first such sales tax and expenditure plan in November 1989 as Proposition B and the second in November 2003 as Proposition K. The San Francisco County Transportation Authority (Transportation Authority) was established through the 1989 ballot measure to administer the sales tax and subsequently was designated as administrator of the 2003 successor measure. The 2022 Transportation Expenditure Plan for the use of funds from the 2022 Sales Tax was developed by the Expenditure Plan Advisory Committee (EPAC), established by the Transportation Authority Board, with technical assistance provided by the Transportation Authority and other transportation agencies. The roster of EPAC members is provided in Attachment 1. The 2022 Transportation Expenditure Plan was recommended by the



Transportation Authority Board on March 22, 2022. Guided by the EPAC, equity has been at the forefront of the process to develop the 2022 Transportation Expenditure Plan, the investments included within, as well as how it will be administered.

Half of the EPAC is comprised of representatives from Equity Priority Communities (EPCs) and other city neighborhoods, including organizations that serve EPCs. The process to develop the 2022 Transportation Expenditure Plan included robust outreach and engagement in multiple languages, with a focus on reaching EPCs and populations that do not typically engage in transportation planning.

Investments are designed to fill gaps identified in an equity analysis conducted at the beginning of the process and include improvements to travel time and accessibility, traffic safety, and public health, as well as addressing transportation costs and supporting community-based planning, including a focus on EPCs.

Administration of the 2022 Transportation Expenditure Plan will include a transparent and accountable process, and equity requirements have been built into administration. More details on administration are included in Section 5, Implementation Provisions.

By providing the required local match, the 2022 Sales Tax is intended to leverage about \$23.7 billion in federal, state, regional, and other local funding for transportation projects in San Francisco.

The 2022 Transportation Expenditure Plan contains a list of transportation programs describing the types of transportation investments that will be given priority for 2022 Sales Tax funding. As such, the 2022 Transportation Expenditure Plan shall be amended into the Capital Improvement Program of the Congestion Management Program, developed pursuant to Section 65089 of the California Government Code. These programs are intended to help implement the long-range vision for the development and improvement of San Francisco's transportation system, as articulated in the San Francisco Transportation Plan (SFTP) 2050.

The SFTP is the City's blueprint to guide the development of transportation funding priorities and policy. The SFTP is a living document, updated on a quadrennial basis to identify and address changing needs and regional trends and align them with available funding.

B. Goals. The purpose of the 2022 Transportation Expenditure Plan is to implement the priorities of the SFTP 2050 through investment in projects and programs that include planning, maintenance, rehabilitation of, and improvements to the city's multi-modal transportation system. The SFTP 2050 is part of the ConnectSF initiative, a multi-agency collaborative process to build an effective, equitable, and sustainable transportation system for San Francisco's future. The goals of ConnectSF and of the SFTP 2050 are:

- **Equity.** San Francisco is an inclusive, diverse, and equitable city that offers high-quality, affordable access to desired goods, services, activities, and destinations.
- **Economic Vitality.** To support a thriving economy, people and businesses easily access key destinations for jobs and commerce in established and growing neighborhoods both within San Francisco and the region.
- **Environmental Sustainability.** The transportation and land use system support a healthy, resilient environment and sustainable choices for future generations.

- **Safety and Livability.** People have attractive and safe travel options that improve public health, support livable neighborhoods, and address the needs of all users.
- **Accountability and Engagement.** San Francisco agencies, the broader community, and elected officials work together to understand the City's transportation needs and deliver projects, programs, and services in a clear, concise, and timely fashion.

C. Plan Findings and Structure. The Transportation Authority finds that:

- i. Adoption of an ordinance to impose a sales tax at the existing half-cent rate for the 30-year implementation period of the 2022 Transportation Expenditure Plan is necessary in order to fund the transportation programs listed in Section 3, Table 1 and further detailed in Section 4, Description of Programs.
- ii. It is deemed unnecessary to seek the support of adjacent counties by requesting them to develop their own Transportation Expenditure Plans because San Mateo, Alameda, Contra Costa, Marin, and Santa Clara counties have already adopted Transportation Expenditure Plans.

The Transportation Authority recommends that the San Francisco Board of Supervisors place the aforementioned sales tax ordinance on the November 2022 ballot.

The 2022 Transportation Expenditure Plan is organized into five sections. Section 1: Introduction provides background on the Plan's goals and development. Section 2: General Provisions provides further context on the Plan's policies and administration. Section 3: 2022 Transportation Expenditure Plan Summary Table summarizes the Plan's investment detail (i.e., recommended funding distribution) by category, sub-category, and program. Section 4: Description of Programs contains descriptions of the programs (organized by category and subcategory), including the types of projects that are eligible for funding under each of them. Section 5: Implementation Provisions describes the process for prioritizing and allocating funds from the 2022 Sales Tax following adoption of the Plan.

2. General Provisions

A. Sales Tax Revenues. The 2022 Transportation Expenditure Plan shall supersede the Proposition K Expenditure Plan, adopted in 2003, as of the operative date of the 2022 Sales Tax, which shall be at the same one-half percent rate as approved by San Francisco voters in November 2003 as Proposition K, and shall be imposed for the 30-year duration of the 2022 Transportation Expenditure Plan.

Revenues from the 2022 Sales Tax are estimated under two scenarios over the 30-year period of the 2022 Transportation Expenditure Plan, both of which are net of an estimated \$550 million in Proposition K financial liabilities (See Section D, Successor Program). The conservative projection, which corresponds to Priority 1 funding levels, puts the total revenue level at \$2.378 billion (2020 dollars). This scenario reflects an average growth rate of 2.1%, and an inflation-based discount rate of 3%. The more optimistic revenue projection, which corresponds to Priority 2 funding levels, reflects an average growth rate of 2.6%, and an inflation-based discount of 3%.

B. Fiscal Constraint. The 2022 Transportation Expenditure Plan is fiscally constrained to the total funding expected to be available for each category (i.e., percent of revenues

designated for each category) and by the funding caps established for each program. The financial constraint is further detailed within each program through the specification of funding priority levels, i.e., Priority 1 and Priority 2 (See Section 4 Description of Programs).

C. Restriction of Funds. 2022 Sales Tax revenues shall be spent on capital projects rather than to fund operations and maintenance of existing transportation services, unless otherwise explicitly specified in the Section 4, Description of Programs. In accordance with enabling legislation and adopted principles, 2022 Sales Tax revenues generated pursuant to this plan shall be subject to the following restrictions:

i. **No Substitution.**

- a. 2022 Sales Tax revenues shall be used to supplement and under no circumstance replace existing local revenues used for transportation purposes listed in the 2022 Transportation Expenditure Plan.
- b. Proceeds from the sale or liquidation of capital assets funded with 2022 Sales Tax revenues shall be returned to the Transportation Authority (in proportion to the contribution of 2022 Sales Tax revenues to the total original cost of the asset), for re-allocation to eligible expenses within the program from which funds were expended for the original investment.

ii. **No Expenditures Outside San Francisco.** Unless otherwise explicitly specified in Section 4, Description of Programs, no 2022 Sales Tax funds shall be spent outside the territorial limits of the City and County of San Francisco except for cases that satisfy all the following conditions:

- a. **Quantifiable Benefit.** The proposed project is eligible to be funded with the 2022 Sales Tax consistent with the 2022 Transportation Expenditure Plan, and if 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 beyond the City and County line. A quantifiable benefit is defined as a measurable increase in the cost-effectiveness of a project or group of transportation projects or services at least partially funded with 2022 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 2022 Sales Tax funds is proposed to be made.

Should transportation projects or services contemplated in the plan require the participation of multiple counties for any phase of project planning or implementation, the Transportation Authority shall work cooperatively with the affected county or counties to ensure successful project implementation.

iii. **Funding Caps for Legacy Projects.** Projects carried forward from the Proposition K Expenditure Plan as legacy projects shall be eligible to receive Priority 1 funds from the designated programs, not to exceed the unallocated amounts programmed in the Proposition K Strategic Plan as of the operative date of the 2022 Sales Tax.

iv. **Administration Costs.** Pursuant to Public Utilities Code Section 131107, not more than one percent of the annual net amount of revenues raised by the 2022 Sales Tax may be used to administer the 2022 Transportation Expenditure Plan.

D. Successor Program. The 2022 Transportation Expenditure Plan shall supersede the Proposition K Expenditure Plan, adopted in 2003, as of the operative date of the 2022 Sales Tax. As such it will bear responsibility for any outstanding debt incurred by the Proposition K program, for reimbursement of eligible costs for outstanding balances on Proposition K grants, and for other financial liabilities arising from the Proposition K program. All assets of the Proposition K program shall become Proposition _ program assets.

E. Bonding Authority. The Transportation Authority shall be authorized to issue, from time to time, limited tax bonds in an aggregate principal amount not to exceed \$1.91 billion, payable from the sales tax revenues generated pursuant to the 2022 Sales Tax. The Transportation Authority's bonding capacity shall be separate and distinct from that of the City and County of San Francisco.

F. Administration by the San Francisco County Transportation Authority. The San Francisco County Transportation Authority, which currently allocates, administers, and oversees the expenditure of the existing Proposition K sales tax for transportation, shall allocate, administer, and oversee the expenditure of the Proposition _ sales tax funds.

G. Environmental Review. Environmental reporting, review, and approval procedures as provided for under the National Environmental Policy Act (NEPA) and/or the California Environmental Quality Act (CEQA) and other applicable laws shall be carried out as a prerequisite to the approval and implementation of any project, including legacy projects, to be funded partially or entirely with 2022 Sales Tax funds. No definite commitment to any activity or project is made by the adoption of the 2022 Transportation Expenditure Plan. The 2022 Transportation Expenditure Plan establishes a funding mechanism for transportation improvements which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The 2022 Transportation Expenditure Plan also does not limit the discretion of agencies proposing to carry out eligible projects to select a "no action" or a "no project" alternative.

3. **2022 Transportation Expenditure Plan Summary Table.**

Table 1 below summarizes the proposed 2022 Sales Tax revenue allocations by category, subcategory, and program in constant 2020 dollars. There are five categories, identified with capital letters (A through E). The first subdivision level under each category is known as a subcategory. Subcategories are indicated with lower case Roman numerals. The level below a subcategory is known as a program. Programs are indicated with numbers.

The 2022 Transportation Expenditure Plan identifies eligible expenditures through a set of programs that guides the types of transportation projects that will be funded by the 2022 Sales Tax. The programs are set up to address allocation of funds to multi-year programs for a given purpose, such as street resurfacing or street safety improvements, for which not all specific project locations or improvements can be anticipated or identified at the time of adoption of the 2022 Transportation Expenditure Plan. This approach provides certainty about the types of investments that will be made balanced with the flexibility needed for a 30-year plan.



Table 1: 2022 Transportation Expenditure Plan Summary Table

2020 \$Millions	Total Expected Funding ¹	Total Prop _ ²	% of Prop _ Funding ³
A. Major Transit Projects	\$ 10,354.7	\$ 587.0	22.6%
i. Muni Reliability and Efficiency Improvements	\$ 1,088.3	\$ 110.0	
ii. Muni Rail Core Capacity	\$ 720.0	\$ 57.0	
iii. BART Core Capacity	\$ 3,536.4	\$ 100.0	
iv. Caltrain Service Vision: Capital System Capacity Investments	\$ 10.0	\$ 10.0	
v. Caltrain Downtown Rail Extension and Pennsylvania Alignment	\$ 5,000.0	\$ 310.0	
B. Transit Maintenance and Enhancements	\$ 10,065.3	\$ 1,070.0	41.2%
i. Transit Maintenance, Rehabilitation, and Replacement	\$ 9,047.1	\$ 975.0	
1. Muni	\$ 7,934.8	\$ 825.0	
2. BART	\$ 547.7	\$ 45.0	
3. Caltrain	\$ 550.3	\$ 100.0	
4. Ferry	\$ 14.3	\$ 5.0	
ii. Transit Enhancements	\$ 1,018.2	\$ 95.0	
1. Transit Enhancements	\$ 777.4	\$ 36.0	
2. Bayview Caltrain Station	\$ 100.0	\$ 27.0	
3. Mission Bay Ferry Landing	\$ 53.8	\$ 5.0	
4. Next Generation Transit Investments	\$ 87.0	\$ 27.0	
C. Paratransit⁴	\$ 1,270.0	\$ 297.0	11.4%
D. Streets and Freeways	\$ 3,767.1	\$ 492.0	18.9%
i. Maintenance, Rehabilitation, and Replacement	\$ 2,194.7	\$ 214.0	
1. Street Resurfacing, Rehabilitation, and Maintenance	\$ 1,984.0	\$ 105.0	
2. Pedestrian and Bicycle Facilities Maintenance	\$ 84.6	\$ 19.0	
3. Traffic Signs and Signals Maintenance	\$ 126.1	\$ 90.0	
ii. Safe and Complete Streets	\$ 1,114.8	\$ 240.0	
1. Safer and Complete Streets	\$ 918.8	\$ 187.0	
2. Curb Ramps	\$ 143.0	\$ 29.0	
3. Tree Planting	\$ 53.0	\$ 24.0	
iii. Freeway Safety and Operational Improvements	\$ 457.6	\$ 38.0	
1. Vision Zero Ramps	\$ 27.5	\$ 8.0	
2. Managed Lanes and Express Bus	\$ 206.0	\$ 10.0	
3. Transformative Freeway and Major Street Projects	\$ 224.1	\$ 20.0	
E. Transportation System Development and Management	\$ 824.8	\$ 152.0	5.9%
i. Transportation Demand Management	\$ 146.5	\$ 23.0	
ii. Transportation, Land Use, and Community Coordination	\$ 678.3	\$ 129.0	
1. Neighborhood Transportation Program	\$ 191.2	\$ 46.0	
2. Equity Priority Transportation Program	\$ 192.2	\$ 47.0	
3. Development Oriented Transportation	\$ 263.7	\$ 26.0	
4. Citywide / Modal Planning	\$ 31.2	\$ 10.0	
Total	\$ 26,281.9	\$ 2,598.0	100.0%
Total Prop _ Priority 1		\$ 2,378.0	
Total Prop _ Priority 1 + 2		\$ 2,598.0	

Notes:

¹Total Expected Funding represents project costs or implementable phases of multi-phase projects and programs based on a 30-year forecast of expected revenues from existing federal, state, regional, and local sources, plus \$2.598 billion in Proposition _ revenues. The amounts in this column are provided in fulfillment of Sections 131051(a)(1), (b) and (c) of the Public Utilities Code.

²The "Total Prop _" fulfills the requirements in Section 131051(d) of the Public Utilities Code.

³Percentages are based on Proposition _ Priority 1 and 2 forecasts of \$2.598 billion. The forecast is net of existing obligations of the predecessor Proposition K program.

⁴With very limited exceptions, the funds included in the 30-year forecast of expected revenues are for capital projects rather than operations. Paratransit is the primary exception, providing door-to-door vans and others transportation services for seniors and persons with disabilities who cannot use regular fixed route transit. Total Expected Funding for Paratransit reflects Proposition _ revenues, federal Section 5307 funds, and other sources of operating funds included in SFMTA's annual operating budget over the next 30 years.

4. Description of Programs.

This section contains descriptions of the categories, subcategories, and programs in the 2022 Transportation Expenditure Plan and the types of projects that are eligible for funding under each of them. It also identifies the sponsoring agency or agencies for each program. The Total Funding figures correspond to the Total Expected Funding column in the 2022 Transportation Expenditure Plan Summary Table provided in Section 3, above. The percentage allocation of 2022 Sales Tax funds to each of the major categories is as follows: Major Transit Projects – 22.6%, Transit Maintenance and Enhancements – 41.2%, Paratransit – 11.4%, Streets and Freeways – 18.9%, and Transportation System Development and Management – 5.9%.

A. MAJOR TRANSIT PROJECTS

i. Muni Reliability and Efficiency Improvements

Programmatic improvements that improve the reliability and speed of Muni bus and rail service. Eligible project types include but are not limited to: transit-only lanes; curb bulb-outs at Muni stops; traffic signal modifications; deployment of transit signal priority devices; relocation and upgrade of Muni stops; and other street design changes (e.g., highly visible crosswalks, median island refuges) to reduce delay for transit and enhance pedestrian safety. Includes \$10M in legacy funding for Geary Rapid Improvements Phase 2. Includes project development and capital costs. Sponsor Agency: SFMTA. Total Funding: \$1,088.3M; EP: \$110M.

ii. Muni Rail Core Capacity

Programmatic improvements that increase the reliability and capacity of Muni's rail system by supporting longer and more frequent trains. High priority shall be given to installation of a next generation communications-based train control system for the Muni surface and subway rail network. Engineering improvements include but are not limited to lengthening existing platforms to accommodate 3- and 4-car light rail trains in the Muni Metro Tunnel between West Portal and Embarcadero stations, and 3-car trains on the N Judah line. Upgrades to switches, crossovers, and other components to increase subway reliability and throughput, and modifications to subway portals to minimize conflicts. Purchase of additional light rail vehicles to increase the fleet's overall capacity and new/upgraded maintenance and/or storage facilities to house additional vehicles. Includes project development and capital costs. Sponsor Agency: SFMTA. The first \$50M is Priority 1 and the remainder is Priority 2. Total Funding: \$720M; EP: \$57M.

iii. BART Core Capacity

Improvements that will allow BART to operate up to 30 ten-car trains per hour in each direction through the existing Transbay Tube (an increase from the current capacity of 23 trains per hour). Eligible project types include but are not limited to: new (additional) rail cars; a new communications-based train control system; a new rail car storage yard at the Hayward Maintenance Complex; and additional traction power substations to provide the power needed for more frequent service. Includes project development and capital costs. As a prerequisite to allocation of funds, the Transportation Authority Board shall consider whether Alameda and Contra Costa Counties have contributed a commensurate amount to the BART Core Capacity Program. Sponsor Agency: BART. Total Funding: \$3,536.4M; EP: \$100M.

iv. Caltrain Service Vision: Capital System Capacity Investments

Programmatic capital improvements that will allow Caltrain service to operate up to eight trains per direction per hour consistent with the Caltrain Business Plan Service Vision. Eligible project types include, but are not limited to: additional fleet, level boarding at station platforms, additional train storage, track work, and station

improvements. Includes planning, project development, and capital costs. Includes \$10M in Priority 2 funding. Sponsor Agency: PCJPB. Total Funding: \$10M; EP: \$10M.

v. Caltrain Downtown Rail Extension and Pennsylvania Alignment

Caltrain Downtown Rail Extension: The underground extension of the Caltrain commuter rail system from the current Caltrain San Francisco terminus into the Salesforce Transit Center. Project designed to accommodate blended service with future California High-Speed Rail. Includes a new station at 4th and Townsend Streets. Includes \$300M in Priority 1 funds.

Pennsylvania Alignment: Below-grade rail alignment extending south from the planned Downtown Rail Extension. Project will serve the Caltrain commuter rail system and future California High-Speed Rail service. Pennsylvania Alignment will separate rail from surface-level conflicts with street users at 16th Street and Mission Bay Drive. Includes \$10M in Priority 2 funds.

Includes project development and capital costs. Sponsor Agencies: TJPA, SFCTA. Total Funding: \$5,000M; EP: \$310M.

B. TRANSIT MAINTENANCE AND ENHANCEMENTS

i. Maintenance, Rehabilitation, and Replacement

1. **Muni.** Programmatic improvements for up-grade, rehabilitation, and replacement of Muni's capital assets, including transit and paratransit vehicles, spare parts, and on-board equipment; transit facilities and facilities-related equipment; and transit guideways and associated equipment. Eligible project types include but are not limited to the following: rail car, trolley coach, and motor coach renovation and replacement of buses with zero emission vehicles, which may include additional vehicles added to the fleet to maintain current fleet passenger capacity (e.g., if electric buses have lower passenger capacity). Rehabilitation, upgrades, and/or replacement of: existing facilities for maintenance and operations, including equipment and upgrades to support the electrification of the Muni motor coach fleet and to improve resilience to climate change; rail stations including, but not limited to, platform edge tiles, elevators, escalators, and faregates; existing rail, overhead trolley wires, signals, traction power stations, and automatic train control systems, as well as upgrades to improve resilience to climate change. The intent is to implement transit priority and reliability improvements whenever guideways rehabilitation, upgrade, or replacement projects are undertaken. Includes project development and capital costs. Sponsor Agency: SFMTA. The first \$784M is Priority 1 and the remainder is Priority 2. Total Funding: \$7,934.8M; EP: \$825M.

2. **BART.** Programmatic improvements for the up-grade, rehabilitation, and replacement of BART's capital assets. Eligible project types include, but are not limited to, the upgrade, rehabilitation, and replacement of: transit vehicles and on-board equipment; transit stations including platform edge tiles, elevators, escalators, and faregates; transit facilities and facilities-related equipment; and guideways such as rail, train control, traction power, and related equipment. Facilities and guideways improvements may include upgrades to improve resilience to climate change. Additional elevators, escalators, and faregates are also eligible. In shared BART/Muni stations, elevator and escalator projects must include shared Muni access and/or redundancy where cost effective. Includes project development and capital costs. The first \$35M is Priority 1 and the remainder is



- Priority 2. Sponsor Agency: BART. Total Funding: \$547.7M; EP: \$45M.
3. **Caltrain.** Provides San Francisco's local match contribution for the Caltrain capital program, on behalf of the City and County of San Francisco until 2022 Sales Tax funds for this program run out. Programmatic improvements such as the upgrade, rehabilitation, and replacement of transit vehicles, spare parts, and on-board equipment; transit facilities (including stations) and facilities related equipment; and guideways such as rail, signals, communications, traction power equipment, and the overhead contact system. Facilities and guideways improvements may include upgrades to improve resilience to climate change. Service planning and capital planning efforts are also eligible. Includes project development and capital costs. Sponsor Agency: PCJPB. Total Funding: \$550.3M; EP: \$100M.
 4. **Ferry.** Programmatic improvements for the upgrade, rehabilitation, and replacement of landside ferry facilities, passenger-serving facilities, and facilities-related equipment. May also include improvements to San Francisco ferry terminals to accommodate increases in ferry ridership, electrification, and to improve resilience to climate change. Includes project development and capital costs. Sponsor Agencies: Port of SF, GGBHTD. Total Funding: \$14.3M; EP: \$5M.
- ii. **Transit Enhancements**
1. **Transit Enhancements.** Customer-facing programmatic improvements that promote system connectivity, accessibility, and reliability, and improve transit service experience for riders. These are meant to be smaller to mid-sized projects that produce benefits directly experienced by transit riders. Eligible projects may include but are not limited to bus stop improvements (with priority for those serving disadvantaged communities); wayfinding; real-time information; new (additional) elevators or escalators; multimodal station access and safety improvements; bicycle parking/storage; purchase and rehab of historic streetcars; and purchase of motor coaches and paratransit expansion vehicles. Includes project development and capital costs. Sponsor Agencies: SFMTA, BART, PCJPB, TIMMA. The first \$29M is Priority 1 and the remainder is Priority 2. Total Funding: \$777.4M; EP: \$36M.
 2. **Bayview Caltrain Station.** Construction of a new or relocated Caltrain station in the Bayview. Includes \$4.73M in legacy funding for the Quint-Jerrold Connector Road, which will restore access eliminated by the construction of a Caltrain berm. Includes project development and capital costs. Sponsor Agencies: SFCTA, PCJPB, SFMTA, SFPW. Total Funding: \$100M; EP: \$27M.
 3. **Mission Bay Ferry Landing.** A new ferry landing serving the Mission Bay neighborhood to enable regional ferry service. Includes capital costs. Sponsor Agency: Port of SF. Total Funding: \$53.8M; EP: \$5M.
 4. **Next Generation Transit Investments.** Planning and project development for major transit capital projects that promote system connectivity and accessibility, close service gaps, and improve and expand transit service levels. By funding planning, outreach, and early project development, the intent is to set these projects up to be competitive for discretionary funds to complete project development and implementation. Eligible projects may include but are not limited to a 19th Avenue/Geary subway, extending the Central Subway, Link21 (including a potential second transbay tube), and local and regional express bus network development. Sponsor Agencies: SFCTA; SFMTA; BART; PCJPB. The first \$22M is Priority 1 and the remainder is Priority 2. Total Funding: \$87M; EP: \$27M.
- C. **PARATRANSIT**
- Continued support for paratransit door-to-door van, taxi, and other transportation services for seniors and people with disabilities who are unable to use fixed route transit service. Includes operations support, replacement of accessible vans, and replacement and upgrades of supporting equipment such as debit card systems. Sponsor Agency: SFMTA. The first \$227M is Priority 1 and the remainder is Priority 2. Total Funding: \$1,270M; EP: \$297M.
- D. **STREETS AND FREEWAYS**
- i. **Maintenance, Rehabilitation, and Replacement**
 1. **Street Resurfacing, Rehabilitation, and Maintenance.** Repaving and reconstruction of city streets to prevent deterioration of the roadway system, based on an industry-standard pavement management system designed to inform cost-effective roadway maintenance. May include sidewalk rehabilitation and curb ramps and elements to improve resilience to climate change. Includes project development and capital costs. Sponsor Agency: SFPW. Total Funding: \$1,952M; EP: \$88M.
Replacement of street repair and cleaning equipment according to industry standards, including but not limited to asphalt pavers, dump trucks, sweepers, and front-end loaders. Includes capital costs only. Sponsor Agency: SAS. Total Funding: \$32M; EP: \$17M.
 2. **Pedestrian and Bicycle Facilities Maintenance.** Public sidewalk repair and reconstruction citywide. Maintenance of additional pedestrian facility improvements including stairways, retaining walls, guardrails, and rockfall barriers. Maintenance of pedestrian and bicycle safety improvements, including but not limited to safe-hit posts, painted safety zones, green bike lanes, and crosswalks. Rehabilitation of other bicycle facilities such as paths. Includes project development and capital costs. Sponsor Agencies: SFMTA, SAS. Total Funding: \$84.6M; EP: \$19M.
 3. **Traffic Signs and Signals Maintenance.** Maintenance and upgrade of traffic signs and signals, including for pedestrians and bicyclists. Sponsor Agency: SFMTA. Total Funding: \$126.1M; EP: \$90M.
 - ii. **Safe and Complete Streets**
 1. **Safer and Complete Streets.** Programmatic improvements to the transportation system to make it safer for all users and help achieve the City's Vision Zero goals. Projects may include but are not limited to:
 - Traffic calming to reduce vehicular speeds and improve safety; new or improved pedestrian safety measures such as ladder crosswalks, corner bulb-outs, and pedestrian islands in the medians of major thoroughfares; new and upgraded bike lanes and paths; traffic striping and channelization; bicycle and personal mobility device parking facilities such as bike/scooter racks and lockers. Quick builds (e.g., paint and safe-hit posts), pilots, permanent improvements, intersection redesigns, and larger corridor projects are eligible. Landscaping may be included as a minor element of a larger

- safety project.
 - Installation (new), maintenance, and upgrade of traffic signs and signals (including for pedestrians and bicyclists); red light enforcement cameras and closed-circuit TV and communications systems (e.g., Variable Message Signs) for incident and special event traffic management.
 - Multi-modal street improvements to improve pedestrian, bicycle, transit, and vehicle circulation and connectivity.
 - Bicycle, pedestrian, and Vision Zero outreach and education programs such as Safe Routes to School; development of neighborhood and school area safety plans.
- Includes project development and capital costs. Sponsor Agencies: SFMTA, SFPW, SFCTA. Includes \$152M in Priority 1, of which a minimum of \$7M will be available for Safe Routes to School non-infrastructure programs, e.g., education, outreach, and planning to support safe transportation to schools. The remainder is Priority 2. Total Funding: \$918.8M; EP: \$187M.
2. **Curb Ramps.** Construction of new Americans with Disabilities Act (ADA)-compliant curb ramps and related roadway work to permit ease of movement. Reconstruction of existing ramps. Includes project development and capital costs. Sponsor Agency: SFPW. Total Funding: \$143M; EP: \$29M.
 3. **Tree Planting.** Planting and establishment of street trees in public rights-of-way throughout the city. Priority will be given to neighborhoods and/or areas with lower tree canopy coverage. Sponsor Agency: SAS. Includes \$20M in Priority 1 and the remainder is Priority 2. Total Funding: \$53M; EP: \$24M.
- iii. **Freeway Safety and Operational Improvements**
 1. **Vision Zero Ramps.** Programmatic improvements to benefit all users of intersections where freeway on- and off-ramps intersect with city streets to support the City's Vision Zero policy to eliminate traffic deaths. Eligible project types include: new or improved pedestrian safety measures such as ladder crosswalks and pedestrian signals, corner bulb-outs, and new traffic signs and signals. Includes planning, project development, and capital costs. Sponsor Agencies: SFMTA, SFCTA. Total Funding: \$27.5M; EP: \$8M.
 2. **Managed Lanes and Express Bus.** Programmatic improvements to San Francisco's freeways to improve transit speeds (e.g., express bus) and reliability, and promote carpooling. Improvements include but are not limited to high occupancy vehicle lanes, ramp re-striping or re-designs, signs and signalization, and purchase of buses to support increased Muni bus operations on improved facilities, and if express lanes are proposed, tolling system and funding of an affordability program. Includes project development and capital costs. Sponsor Agencies: SFCTA, SFMTA. Total Funding: \$206M; EP: \$10M.
 3. **Transformative Freeway and Major Street Projects.** Planning and project development for transformative multi-modal improvements that are designed to improve safety, enhance multi-modal connectivity, and/or reconnect communities and repair the harm created by past freeway and street projects. By funding planning, outreach, and early project development, the intent is to set up these projects to be competitive for discretion-

ary funds to complete project development and implementation. Eligible project types include but are not limited to new grade-separated crossings for people walking and biking; restoring connections within communities divided by infrastructure (e.g., Geary underpass, pedestrian/bike freeway overcrossings); and simplifying freeway interchanges (e.g., Alemany Maze and US 101/ Cesar Chavez "Hairball"). May include projects to improve resilience to climate change. Sponsor Agencies: SFCTA, SFMTA, SFPW, Planning. Total Funding: \$224.1M; EP: \$20M.

E. TRANSPORTATION SYSTEM DEVELOPMENT AND MANAGEMENT

- i. **Transportation Demand Management**
Transportation Demand Management (TDM) improvements intended to shift trips to sustainable modes like transit, biking, and walking, and shift travel to less congested times. Develop and support continued TDM and parking requirements for large employers, special event sites, and schools and universities. Eligible project types also include TDM education, marketing, incentives, pricing, technology, policy development, pilots, and evaluation. Hardware, software, and equipment needed to implement pricing, incentives, and affordability projects are eligible. Examples of eligible projects include new solutions or technologies for first-last mile connections or special trip markets; intermodal integration of customer-facing technology (e.g., travel information and payment systems); and new fare payment concepts for mode shift or congestion management. Includes planning, project development, and capital costs. Sponsor Agencies: SFCTA, SFE, SFMTA, BART, PCJPB, TIMMA. Includes \$18M in Priority 1 and the remainder is Priority 2. Total Funding: \$146.5M; EP: \$23M.
- ii. **Transportation, Land Use, and Community Coordination**
 1. **Neighborhood Transportation Program.** The Neighborhood Transportation Program (NTP) funds community-based neighborhood-scale transportation improvements. The NTP has a planning component to fund community-based planning efforts in each Supervisorial district, and a capital component intended to provide local match to help advance and implement capital investment and pilot recommendations stemming from NTP and other community-based planning efforts. Eligible project types are those that are eligible for other 2022 Transportation Expenditure Plan programs and result in public-facing benefits. Additional project types include: transportation policy studies, pilots, and projects to address climate change (e.g., electric vehicle charging infrastructure) and gaps in equitable access. Includes planning, project development, and capital costs. Sponsor Agencies: SFCTA, SFMTA, SFPW, Planning. Includes \$41M in Priority 1 and the remainder is Priority 2. Total Funding: \$191.2M; EP: \$46M.
 2. **Equity Priority Transportation Program.** The Equity Priority Transportation Program (EPTP) funds equity priority community-based projects in underserved neighborhoods and areas with vulnerable populations (e.g., low-income communities, seniors, children, and/or people with disabilities) as well as citywide equity evaluations and planning efforts. The EPTP has a planning component to fund community-based planning efforts, and a capital component to provide local match funds to help advance and implement capital investment and pilot recommendations



stemming from community-based planning and equity assessments. Eligible project types are those that are eligible for other 2022 Transportation Expenditure Plan programs, as well as projects that help reduce disparities and gaps in equitable access (physical, geographic, affordability) to jobs and key services. Includes planning, project development, and capital costs. Sponsor Agencies: SFCTA, SFMTA, SFPW, Planning. Includes \$42M in Priority 1 and the remainder is Priority 2. Total Funding: \$192.2M; EP: \$47M.

3. **Development-Oriented Transportation.** The Development-Oriented Transportation Program funds community-based planning to identify transportation improvements that support increased housing density in existing, primarily low-density neighborhoods of the city, as well as project development and implementation. Projects supporting development in adopted Priority Development Areas will be prioritized. Includes \$2M in legacy funding for the Bayshore Caltrain Pedestrian Connection. Includes planning, project development, and capital costs. Sponsor Agencies: SFMTA, SFCTA, BART, PCJPB, Planning, SFPW. Includes \$20M in Priority 1 and the remainder is Priority 2. Total Funding: \$263.7M; EP: \$26M.
4. **Citywide/Modal Planning.** Citywide and network-wide transportation studies and planning such as updates to the Countywide Transportation Plan or long-range modal studies. Plans and studies that focus on countywide and/or network-wide needs will be prioritized, but corridor-scale studies may be considered. Includes planning. Sponsor Agencies: SFCTA, SFMTA, Planning. Total Funding: \$31.2M; EP: \$10M.
5. **Implementation Provisions.**
 - A. **Strategic Plan.** Subsequent to voter approval of the 2022 Transportation Expenditure Plan, the Transportation Authority shall prepare a 30-year Strategic Plan that will serve as the primary financial tool for administering the 2022 Sales Tax. It shall include policies to guide day-to-day program administration consistent with the 2022 Transportation Expenditure Plan; updated revenue projections for the 2022 Sales Tax; proposed 2022 Sales Tax programming and expenditures by category, sub-category, and program; and any associated financing needed to ensure funds are available to reimburse eligible expenditures. The Strategic Plan shall be prepared in concert with development of 5-Year Prioritization Programs (5YPPs) (see Section 5.B). The Transportation Authority Board shall adopt the Strategic Plan and updates thereof at least every 5 years.
 - B. **Prioritization Process.** Prior to allocation of any revenues from the 2022 Sales Tax, the Transportation Authority shall prepare, in close consultation with all other affected planning and implementation agencies, a 5YPP including budget, scope, and schedule consistent with the Strategic Plan, for review and adoption by the Transportation Authority Board. For programs with only one eligible sponsoring agency, the Transportation Authority may designate that agency as the agency that is to prepare the 5YPP. The proposed projects shall be consistent with

the SFTP and with the City's General Plan. The 5YPPs shall at a minimum address the following factors:

1. Project readiness, including schedule for completion of environmental and design phases; well-documented preliminary cost estimates; and documented community support as appropriate.
2. Funding plan, including sources other than the 2022 Sales Tax.
3. 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.
4. How the project would advance equity or seek to mitigate any impacts on equity.
5. Project benefits including but not limited to how the project advances the goals of the SFTP.
6. A prioritization mechanism to rank projects within the 5YPP, that includes at a minimum the following required criteria:
 - a. 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.
 - d. Level and diversity of community support. Projects with clear and diverse community support, including from disadvantaged populations (e.g., communities historically harmed by displacement, transportation policies, and projects that utilized eminent domain; people with low incomes; and people of color) and/or identified through a community-based planning process will be prioritized. Projects with documented support from disadvantaged populations will receive additional priority. An example of a community-based plan is a neighborhood transportation plan, corridor improvement study, or station area plan that is community-driven.
 - e. Benefit to disadvantaged populations, including communities historically harmed by displacement, transportation policies, and projects that utilized eminent domain, whether the project is directly located in an Equity Priority Community or can demonstrate benefits to disadvantaged populations.

The Transportation Authority and any appropriate designated agencies shall conduct the required public outreach and engagement to ensure an inclusive planning process for the development of the 5YPPs, as well as General Plan referral or referral to any City Department or Commission, as required. The Transportation Authority working with eligible sponsoring agencies shall also identify appropriate performance measures informed by the Congestion Management Program, such as increased system connectivity, increased transit ridership (net new riders), reductions in travel time for existing riders, system



safety, vehicle miles traveled, and increased use of alternatives to the single-occupant automobile, along with a timeline for assessing the performance measures to inform the next 5YPP updates, which shall be at least every 5 years concurrent with Strategic Plan updates.

In order to inform 5YPP development and allocation of funds, the Transportation Authority shall report at least once every 5 years on the citywide geographic distribution of 2022 Sales Tax allocations and the distribution of projects located in EPCs and/or benefiting disadvantaged populations.

Designated agencies shall be eligible for planning funds from the relevant 2022 Transportation Expenditure Plan programs for the purpose of completing the development of the 5YPP. Sponsoring agencies will be encouraged to explore alternative and non-traditional methods for project and service delivery where they offer opportunities for increased cost-effectiveness and/or shortened project delivery timelines.

As part of the Strategic Plan development process, the Transportation Authority shall adopt, issue, and update detailed guidelines for the development of 5YPPs.

C. Project Delivery Oversight. The Transportation Authority Board shall adopt project delivery oversight guidelines for major capital projects to be funded by the 2022 Sales Tax. The guidelines shall consider the total cost and complexity of a project in setting the definition of a major capital project. Objectives of these guidelines shall include supporting the cost-effective and timely delivery of projects funded wholly or in part by the 2022 Sales Tax. Transportation Authority staff shall prepare a report at least annually to the Transportation Authority Board to communicate the status of these projects.

D. Funding Priority Levels. Each 2022 Transportation Expenditure Plan program shall be funded using 2022 Sales Tax revenues up to the total amount designated for that program in Priority 1. If, after programming all Priority 1 funds to every program in a subcategory, the latest Strategic Plan forecasts available revenues from the 2022 Sales Tax in excess of Priority 1 levels, the Transportation Authority Board may allow programming of Priority 2 funds within the subcategory, subject to the program dollar amount caps for Priority 2 established in the 2022 Transportation Expenditure Plan. If, after programming at least 80% of Priority 2 funds, the latest Strategic Plan forecasts available revenues from the 2022 Sales Tax in excess of Priority 2 levels, the Transportation Authority Board may allow programming of revenues in excess of Priority 2 levels to programs in the 2022 Transportation Expenditure Plan as long as the percent of 2022 Sales Tax revenues designated for each category is maintained in compliance with the prioritization provisions set forth in Sections 2.B, 5.B, and 5.D.

E. Cost Savings and Remaining Funds. If the eligible sponsoring agency or agencies complete delivery of a 2022 Transportation Expenditure Plan program or legacy project or determine that they will no longer pursue implementation of the program or legacy project with 2022 Sales Tax funds, the Transportation Authority Board

may use any remaining 2022 Sales Tax funds in that program to fund one or more programs in the same category that would otherwise be in compliance with the prioritization provisions set forth in Sections 2.B, 5.B, and 5.D. To do so, the Transportation Authority Board must first hold a public hearing on the matter and then not sooner than 30 days after the hearing, the Transportation Authority Board may, by a 2/3 vote, direct all or a portion of the remaining funds to one or more 2022 Transportation Expenditure Plan programs with the same category.

The following abbreviations are used in the 2022 Transportation Expenditure Plan:

BART – San Francisco Bay Area Rapid Transit District; EP – Expenditure Plan; GGBHTD – Golden Gate Bridge, Highway & Transportation District; M – Million; N/A – Not Applicable; PCJPB – Peninsula Corridor Joint Powers Board or Caltrain; Planning – San Francisco Planning Department; Port of SF – Port of San Francisco; SAS – Sanitation and Streets Department*; SFCTA – San Francisco County Transportation Authority; SFE – San Francisco Department of Environment; SFMTA – San Francisco Municipal Transportation Agency; SFPW – San Francisco Public Works; TIMMA – Treasure Island Mobility Management Agency; TJPA – Transbay Joint Powers Authority.

*On November 3, 2020, San Francisco voters approved Proposition B, which amended the San Francisco Charter to create a Department of Sanitation and Streets to succeed to specific duties currently performed by San Francisco Public Works. Per Board of Supervisors Motion 21-181, approved December 14, 2021, the effective date for this transition is October 1, 2022.

Attachment 1. Expenditure Plan Advisory Committee Roster

Amandeep Jawa, Chair	Advocacy: Environment
Anni Chung, Vice Chair	Advocacy: Seniors and People with Disabilities
Jay Bain	Neighborhoods/Communities
Rosa Chen	Equity Priority Community/Community Advisory Committee
Majeid Crawford	Equity Priority Community
Zack Deutsch-Gross	Advocacy: Transit
Jessie Fernandez	Advocacy: Equity
Mel Flores	Equity Priority Community
Rodney Fong	Business/Civic: Large Business
Sharky Laguana	Business/Civic: Small Business
Aaron P. Leifer	Neighborhood/Community
Jessica Lum	Business/Civic: Tourism/Visitors
Jodie Medeiros	Advocacy: Walk
Maryo Mogannam	Business/Civic: Small Business
Maelig Morvan	Neighborhood/Community
Susan Murphy	Equity Priority Community
Calvin Quick	Advocacy: Youth
Pi Ra	Advocacy: Seniors and People with Disabilities
Maurice Rivers	Equity Priority Community
Eric Rozell	Equity Priority Community
Earl Shaddix	Equity Priority Community
Yensing Sihapanya	Equity Priority Community



Sujata Srivastava	Business/Civic: Civic
Wesley Tam	Neighborhood/Community
Kim Tavaglione	Business/Civic: Labor
Joan Van Rijn	Neighborhood/Community
Christopher White	Advocacy: Bike
Cassandra Costello	Alternate: Business/Civic: Tourism/ Visitors
Cathy de Luca	Alternate: Advocacy: Seniors and People with Disabilities
Daniel Herzstein	Alternate: Business/Civic: Large Business
Sasha Hirji	Alternate: Advocacy: Youth
Melvin Parham	Alternate: Equity Priority Community
Maribel Ramirez	Alternate: Equity Priority Community

Section 4. Scope of Ordinance. In connection with the amendments to Article 14 of the Business and Tax Regulations Code contained in Section 2 of this ordinance, the voters intend to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Business and Tax Regulations Code that are explicitly shown therein as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

Section 5. If any section, subsection, sentence, clause, phrase, or word of this ordinance approving the 2022 Transportation Expenditure Plan and amending Article 14 of the Business and Tax Regulations Code, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of the ordinance. The voters hereby declare that they would have adopted this ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance or application thereof would be subsequently declared invalid or unconstitutional.

Section 6. Effective and Operative Dates.

(a) As provided in California Public Utilities Code Section 131102, subdivision (b), the amendments to Article 14 of the Business and Tax Regulations Code in Section 2 of this ordinance shall become effective at the close of the polls on November 8, 2022.

(b) When the operative date of the 2022 Transportation Expenditure Plan in Section 3 of this ordinance and the amendments to Business and Tax Regulations Code Article 14 in Section 2 of this ordinance have been determined pursuant to Section 1405 of Article 14 as amended by the voters at the November 8, 2022 election, the City Attorney shall cause all references in Article 14 to “the operative date of the amendments to this Article 14 passed by the voters at the November 8, 2022 election” to be replaced by the actual operative date.

Section 7. Pursuant to California Constitution Articles XIII A and XIII C and California Public Utilities Code Section 131102, the approval of the 2022 Transportation Expenditure Plan and of the ordinance amending Article 14 of the Business and Tax Regulations Code shall be submitted to the qualified electors of the City and County of San Francisco at a special election that is hereby called and ordered to be held in the City on Tuesday, the 8th day of November, 2022, for the purpose of submitting to the electors of the City a proposition to approve the amendments to Article 14 of the Business and Tax Regulations Code set forth in Section 2 of this ordinance and the 2022 Transportation Expenditure Plan set forth in Section 3 of this ordinance. The special election called and ordered shall be referred to in this ordinance as the “Special Election.”

Section 8. The Special Election shall be held and conducted and the votes received and canvassed, and the returns made and the results ascertained, determined and declared as provided in this ordinance and in all particulars not recited in this ordinance such

election shall be held according to the laws of the State of California (“State”) and the Charter of the City (“Charter”) and any regulations adopted under State law or the Charter, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by such laws and regulations.

Section 9. The Special Election is consolidated with the General Election scheduled to be held in the City on Tuesday, November 8, 2022. The voting precincts, polling places, and officers of election for the November 8, 2022 General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places, and officers of election for the Special Election called, and reference is made to the notice of election setting forth the voting precincts, polling places, and officers of election for the November 8, 2022 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California. The ballots to be used at the Special Election shall be the ballots to be used at the November 8, 2022 General Election.

Section 10. Pursuant to California Public Utilities Code Section 131108, subdivision (h), the Board of Supervisors hereby directs the Department of Elections to do the following: (a) include in the sample ballot mailed to the voters and the voter information pamphlet the full proposition as set forth in Sections 1 through 6 of this ordinance, but inserting the letter for the proposition where designated, and (b) include in the voter information pamphlet the entire adopted 2022 Transportation Expenditure Plan as set forth in Section 3 of this ordinance. In accordance with this Section 10, Sections 1 through 6 of this ordinance shall constitute the ballot measure submitted to the voters at the Special Election. The long title of the ballot measure submitted to the voters shall be the same as the long title of this ordinance, except that the final two clauses, “affirming the Transportation Authority’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1,” shall be omitted, and the word “and” shall be inserted before the clause “authorizing the Transportation Authority to issue limited tax bonds secured by transactions and use tax revenues.”

Section 11. Pursuant to California Public Utilities Code Section 131055, the Board of Supervisors hereby directs that the 2022 Transportation Expenditure Plan shall be published once in the official newspaper of the City and County within 30 days of the Board of Supervisors’ enactment of this ordinance. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign it within 10 days of receiving it, or the Board overrides the Mayor’s veto of the ordinance.

Section 12. Environmental and Land Use Findings.

(a) The Authority has determined that the actions contemplated in this ordinance are not a project and not subject to the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*). Said determination is on file with the Clerk of the Board of Supervisors in File No. 220536 and is incorporated herein by reference. The Board affirms this determination.

(b) On March 23, 2022, the Planning Department determined that the actions contemplated in this ordinance are consistent, on balance, with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. 220536, and is incorporated herein by reference.