

1 [Interdepartmental jurisdictional transfer of property.]

2
3 **Resolution Transferring Jurisdiction From The Public Utilities Commission To The**
4 **Municipal Transportation Agency The Real Property Identified As A Portion Of**
5 **Assessor's Parcel No. 5262/9 For A Substation For The San Francisco Municipal**
6 **Transportation Agency's Third Street Light Rail Project; Adopting Findings Pursuant**
7 **To The California Environmental Quality Act; And Adopting Findings That The Transfer**
8 **Of Jurisdiction Is Consistent With The City's General Plan And The Eight Priority**
9 **Policies Of The Planning Code Section 101.1.**

10
11 WHEREAS, On December 3, 1998, the Planning Commission, by Motion No. 14742,
12 certified the Final Environmental Impact Report ("FEIR") for the Municipal Transportation
13 Agency's Third Street Light Rail Project ("Project"), finding in its independent judgment, that
14 the FEIR was accurate, adequate and objective and in compliance with the California
15 Environmental Quality Act ("CEQA"); and,

16 WHEREAS, A component of the Project as described in the FEIR is the construction of
17 a substation at the Southeast Treatment Plant Facility, Assessor's Parcel No. 5262/9 in San
18 Francisco, California, which is owned by the City under the jurisdiction of the Public Utilities
19 Commission; and,

20 WHEREAS, The transfer of jurisdiction of a portion of Parcel No. 5262/9 will facilitate
21 the construction of the substation at the Southeast Treatment Plant Facility and is an action in
22 furtherance of the Project; and,

23 WHEREAS, On October 10, 2000, the Public Utilities Commission adopted Resolution
24 No. 00-0236, a copy of which is on file with the Clerk of the Board of Supervisors in File
25 No. 020773, which is hereby declared to be a part of this resolution as if set forth

1 fully herein, requesting that a portion of Parcel No. 5262/9 comprising 3,464 square feet, as
2 shown outlined on the map labeled Exhibit A, a copy of which is on file with the Clerk of the
3 Board of Supervisors in File No. 020773, which is hereby declared to be a part of
4 this resolution as if set forth fully herein, (collectively, the subject property) be transferred to
5 the Municipal Transportation Agency at historical cost of \$1,975 to be used as the substation
6 site; and,

7 WHEREAS, On June 20, 2000, and February 19, 2002, the Municipal Transportation
8 Agency adopted Resolution Nos. 00-071 and 02-012, respectively, authorizing the
9 jurisdictional transfer and accepting responsibility for any hazardous material on the subject
10 property, copies of which are on file with the Clerk of the Board of Supervisors in File
11 No. 020773, which are hereby declared to be a part of this resolution as if set forth
12 fully herein; and,

13 WHEREAS, in accordance with the provisions of Section 23.1¹² of the San Francisco
14 Administrative Code, the Director of Property has reported to the Mayor that the historical cost
15 of the subject property is \$1,975, and in his opinion the subject property can be most
16 advantageously used by the Municipal Transportation Agency, and has therefore
17 recommended that the transfer be made at the historical cost of \$1,975; and,

18 WHEREAS, the Mayor recommends the proposed transfer of the subject property; and,

19 WHEREAS, the Board of Supervisors, by Resolution 760-00, in approving parking and
20 traffic changes along the Third Street Corridor in furtherance of the Project, adopted findings
21 with respect to the FEIR as required by CEQA, all as more particularly set forth in such
22 resolution; and,

23 WHEREAS, For purposes of compliance with CEQA, the approval by the Board of
24 Supervisors of the transfer of jurisdiction of a portion of Parcel No. 5262/9 for construction of
25 the substation is part of the Project for which the Board of Supervisors by Resolution

1 No. 760-00, has adopted findings with respect to the FEIR as required by CEQA, which
2 findings are on file with the Clerk of the Board of Supervisors under File No. 001347, and
3 which findings, are incorporated herein by this reference; and,

4 WHEREAS, This Board of Supervisors has reviewed and considered the information
5 contained in the FEIR and the other information on file with the Clerk of the Board in File
6 No. 001347; and,

7 WHEREAS, The Department Of City Planning has reported in a letter dated September
8 7, 1999, that the proposed transfer of the subject property and the proposed construction of
9 the substation is in conformity with the City's General Plan and consistent with the Eight
10 Priority Policies of Planning Code Section 101.1; now, therefore, be it

11 RESOLVED, That the Board of Supervisors hereby adopts and incorporates the
12 environmental findings under CEQA contained in Resolution No. 760-00 by reference as
13 though such findings were fully set forth in this resolution; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors adopts as conditions of
15 approval and will implement those mitigation measures described in the findings that fall
16 within the jurisdiction of the Board, endorses the implementation of the mitigation measures
17 identified for implementation by other City Departments, and recommends for adoption those
18 mitigation measures that are enforceable by agencies other than City agencies, all as set forth
19 in the findings, including the mitigation monitoring and reporting program contained therein;
20 and, be it

21 FURTHER RESOLVED, That, based upon the Board of Supervisors' review of the
22 FEIR, the Board of Supervisors further finds that (1) no substantial changes have occurred in
23 the Project and approval of the transfer of jurisdiction of a portion of Parcel No. 5262/9 under
24 this resolution that will require revisions to the FEIR due to the involvement of new significant
25 environmental effects or a substantial increase in the severity of previously identified

1 significant effects; (2) no substantial changes have occurred with respect to the circumstances
2 under which the Project or the approval of the transfer of jurisdiction of a portion of Parcel No.
3 5262/9 under this resolution are undertaken which will require major revisions to the FEIR
4 due to the involvement of new environmental effects or a substantial increase in the severity
5 of effects identified in the FEIR; and (3) no new information of substantial importance to the
6 Project or the approval of the transfer of jurisdiction of a portion of Parcel No. 5262/9 has
7 become available which indicates that (a) the Project will have significant effects not
8 discussed in the FEIR, (b) significant environmental effects will be substantially more severe;
9 (c) mitigation measures or alternatives found not feasible which would reduce one or more
10 significant effects have become feasible; or (d) mitigation measures or alternatives which are
11 considerably different from those in the FEIR would substantially reduce one or more
12 significant effects on the environment; and, be it


13 FURTHER RESOLVED, That this Board finds that the transfer of jurisdiction of the
14 subject property to the Municipal Transportation Agency is consistent with the General Plan
15 and the Eight Priority Policies of Planning Code Section 101.1 for the same reasons as those
16 set forth in the Director of Planning's letter referred to above, and hereby incorporates such
17 findings by reference as though fully set forth in this resolution; and, be it

18 FURTHER RESOLVED, That pursuant to San Francisco Administrative Code Section
19 23.13, this Board hereby determines that the subject property is surplus to the Public Utilities
20 Commission and that it can be used most advantageously by the Municipal Transportation
21 Agency; and, be it

22 FURTHER RESOLVED, That, accordingly and in accordance with the
23 recommendations of the Director of Property, the Mayor, the Manager, Muni Real Estate and
24 the Manager, PUC Real Property and the approvals of the Municipal Transportation Agency's
25 Board of Directors and the Public Utilities Commission, jurisdiction of the subject property is

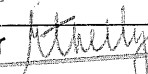
1 hereby transferred to the Municipal Transportation Agency upon payment of \$1,975 to the
2 Public Utilities Commission subject to the requirement that the Municipal Transportation
3 Agency shall be responsible for all costs related to the investigation, assessment, disposal,
4 remediation, and monitoring of hazardous materials to the extent related to the construction,
5 operation and maintenance of the Project or any other Municipal Transportation Agency
6 activity on the entire property being transferred, and that the Public Utilities Commission shall
7 be responsible for the costs of investigation, assessment, disposal, remediation, and
8 monitoring of hazardous materials related to all other hazardous materials on the property
9 remaining under its jurisdiction, including any pre-existing hazardous materials condition.

10 RECOMMENDED:

11 
12 _____
13 Manager, Real Property
Public Utilities Commission


\$1,975 Available
Appropriation No. CPT 522.Z
CONTROLLER 357 623

MAY 01 2002

14 Controller 
BY: _____

15 
16 _____
17 Manager, Muni Real Estate
Municipal Transportation Agency

18 
19 _____
Director of Property

20 
21 _____
22 Mayor



City and County of San Francisco

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

Tails Resolution

File Number: 020773

Date Passed:

Resolution transferring jurisdiction from the Public Utilities Commission to the Municipal Transportation Agency the real property identified as a portion of Assessor's Parcel No. 5262/9 for a substation for the San Francisco Municipal Transportation Agency's Third Street Light Rail Project; Adopting findings pursuant to the California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of the Planning Code Section 101.1.

June 3, 2002 Board of Supervisors — ADOPTED

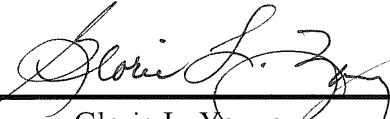
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

File No. 020773

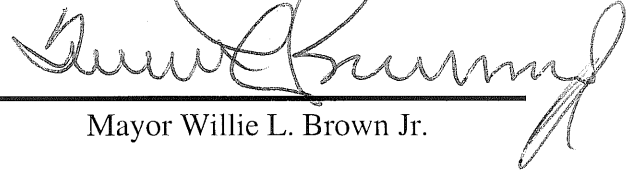
I hereby certify that the foregoing Resolution was ADOPTED on June 3, 2002 by the Board of Supervisors of the City and County of San Francisco.

JUN 14 2002

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.