[Jurisdictional Transfer of Property.]

Resolution authorizing the jurisdictional transfer of City-owned property at 525 Golden Gate Avenue to the Public Utilities Commission in consideration of Nine Million Nine Hundred Thousand Dollars.

WHEREAS, The City and County of San Francisco (the "City"), acting through the Director of Property, acquired certain improved real property located at 525 Golden Gate Avenue (the "Real Property") in June 2000 from the State of California (Board Resolution 474-00; File No. 000785); and,

WHEREAS, In 2000-2001, the City analyzed the possibility of constructing a new City administrative office building on the Real Property; and the City completed plans, studies, analyses, construction documents, applications, reports, and performed related acts in connection therewith (collectively, the "Plans and Permits"); and,

WHEREAS, In Resolution No. 764-01, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 011116, the Board of Supervisors affirmed the Planning Commission's certification of the Final Impact Report for a new City administrative office building to be located at the Property ("FEIR") as adequate and complete pursuant to the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and,

WHEREAS, The Board also adopted findings as required by CEQA in connection with the FEIR and its actions related to approval of the above-mentioned City administrative office building, including a Statement of Overriding Considerations, and adopted a mitigation monitoring and reporting program in Resolution No. 764-01; and,
WHEREAS, On April 11, 2006, The San Francisco Public Utilities Commission (the "PUC") reviewed and considered the FEIR, Resolution No. 764-01 and the supporting documents, including its findings (the "Findings"), mitigation program, and all attachments thereto (collectively, the "CEQA Documents"), and adopted the mitigation measures and reporting program set forth therein, provided that where the Findings indicated that the Department of Building Inspection would be responsible for implementing and monitoring mitigation measures, the PUC assumed that responsibility; and,

WHEREAS, The Board of Supervisors, in furtherance of a City administrative office building project at the Real Property, adopted General Plan amendments in Ordinance No. 209-01 and Zoning Map amendments in Ordinance No. 208-01. Copies of said Ordinances are on file with the Clerk of the Board of Supervisors in File Nos. 011115 and 011114, respectively. Said Ordinances and their associated findings are hereby incorporated as though fully set forth herein for purposes of this legislation; and,

WHEREAS, There is a limited amount of property available in the Civic Center area and the PUC recognizes the long-term advantages of owning, instead of leasing, property in order to provide long-term cost savings and eliminate the exposure to market-rate fluctuations; and,

WHEREAS, The PUC has adopted a resolution to accept jurisdiction of the Real Property and the Plans and Permits, together with all studies, reports, analyses, entitlements and all tangible and intangible property rights relating thereto (collectively, the "Property"), and has agreed to transfer Nine Million Nine Hundred Thousand Dollars ($9,900,000) (the "Purchase Price") to the City's general fund in order to acquire the Property; and,
WHEREAS, To pay the Purchase Price, the PUC shall transfer Seven Million Dollars ($7,000,000) to the City's general fund at the start of fiscal year 2006/07, and Two Million Nine Hundred Thousand Dollars ($2,900,000) at the start of fiscal year 2007/08; and,

WHEREAS, The PUC intends to construct a new City office building on the Real Property consistent with the office building analyzed under the FEIR to consolidate PUC staff into one building owned by the PUC; and,

WHEREAS, The Director of Administrative Services, the Director of Property, the PUC General Manager, and the Mayor all recommend and support the jurisdictional transfer of the Property to the PUC; and,

WHEREAS, The Department of City Planning adopted and issued a General Plan Consistency Finding, a copy of which is on file with the Clerk of the Board, wherein the City's Planning Department found that the proposed jurisdictional transfer of the Property is consistent with the City's General Plan and with the Eight Priority Policies under Planning Code Section 101.1; now, therefore, be it

RESOLVED, That the Board of Supervisors finds, on the basis of substantial evidence, in light of the whole record, that (1) no substantial changes to the City administrative office building and its implementation have occurred that require important revisions to the certified FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of significant environmental effects discussed in the FEIR; (2) no substantial changes have occurred with respect to the circumstances under which the proposed City office building is to be undertaken that would require major revisions to the certified FEIR; and (3) no new information of substantial importance has become available since the certification of the FEIR that indicates any of the following: (a) the proposed office building will have significant effects not discussed in the FEIR, (b) significant environmental effects will be
substantially more severe than previously discussed in the FEIR, (c) mitigation measures or
alternatives previously found not feasible that would reduce one or more significant effects
have become feasible, or (d) mitigation measures or alternatives that are considerably
different from those in the FEIR would substantially reduce one or more significant effects of
the proposed office building on the environment; and, be it

FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered
the CEQA Documents and adopts the Findings, including the mitigation monitoring and
reporting program, provided that the PUC shall assume the responsibility for implementing
and monitoring the mitigation measures as described above; and, be it

FURTHER RESOLVED, That the Board of Supervisors adopted the following Statement
of Overriding Considerations, as modified from the Findings: Notwithstanding the significant
effects noted in the Findings in Exhibit A, pursuant to CEQA Section 21081(b), the CEQA
Guidelines and Chapter 31 of the San Francisco Administrative Code, the Board of
Supervisors finds, after considering the FEIR, that specific overriding economic, legal, social
and other considerations, as set forth below, outweigh the identified significant effects on the
environment. In addition, the Board of Supervisors finds that those Project Alternatives and
mitigation measures described in the FEIR that have been rejected, are also rejected for the
following specific economic, social or other considerations, in and of themselves, in addition to
the specific reasons discussed in Article III of the Findings. The benefits of this Project
include:

(i) Consolidation of many of the PUC’s administrative functions in the
immediate vicinity of City Hall, allowing for better interaction between those offices, City Hall
and the public;
(ii) Consistency with the direction in the Civic Center Plan, an Area Plan within the San Francisco General Plan, to encourage governmental activities and functions to locate "within a 'sphere of influence' within the Civic Center to avoid inefficient dispersal of these activities throughout the area and in new consolidated facilities rather than being dispersed throughout the adjacent area in leased or rented quarters";

(iii) Long-term cost savings to the PUC by accommodating divisions that currently occupy leased space;

(iv) Good transit access via MUNI surface lines, Golden Gate Transit, and SamTrans (all within a block of the project site), as well as MUNI Metro and BART (five blocks away);

(v) By removing a vacant, earthquake-damaged building and constructing a new structure, the proposed project will assist in the overall revitalization of the Civic Center Area that includes the construction of the Courthouse, the New Main Library, the new and renovated State Office Building complex, and the Tenderloin Community (elementary) School at Elm Street and Van Ness Avenue; the recently completed renovations of City Hall and the Opera House; conversion of the Old Main Library to the Asian Art Museum, and the renovation of Civic Center Plaza;

(vi) Construction of a green building will provide a precedent and example for other City and private buildings to be constructed using environmentally sensitive materials and components;

(vii) State-of-the-art seismic engineering will ensure safety of visitors and employees; and,

(viii) State-of-the-art heating, ventilating and air conditioning systems will provide comfort for employees and visitors through energy efficient and sustainable design.
Having considered these Project benefits, including the benefits discussed in Article III of the Findings, the Board of Supervisors finds that the benefits of the Project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable; and, be it

FURTHER RESOLVED, That the Board of Supervisors finds that the Purchase Price equals or does not exceed the fair market price for the Property, and that the public interest demands or will not be inconvenienced by a jurisdictional transfer of the Property to the PUC; and, be it

FURTHER RESOLVED, The Board of Supervisors hereby determines that the Property can be used most advantageously by the PUC and, therefore, transfers jurisdiction of the Property from the Department of Administrative Services to the PUC, in return for the PUC's transfer of funds in the amount of the Purchase Price to the City's general fund as set forth above; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the jurisdictional transfer of the Property to the PUC are hereby approved, confirmed and ratified.

**Mayor's Office**
BOARD OF SUPERVISORS
Resolution authorizing the jurisdictional transfer of City-owned property at 525 Golden Gate Avenue to the Public Utilities Commission in consideration of Nine Million Nine Hundred Thousand Dollars.

June 13, 2006  Board of Supervisors — ADOPTED
Ay  es:  10 - Alioto-Pier, Amm iano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

I hereby certify that the foregoing Resolution was ADOPTED on June 13, 2006 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom