

File No. 101015

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date August 2, 2010

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

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| * | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SFSU Mitigated Negative Declaration/Initial Study</u> |
| * | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Campus Master Plan – Addendum No. 1 to the Final Environmental Impact Report</u> |
| * | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Campus Master Plan Environmental Impact Report, SFSU FINAL</u> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Public Utilities Commission Resolution No. 10-0111</u> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Dept Proposed Major Encroachment Permit, Dated November 09, 2009</u> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Resolution to Approve Sewer Lines Relocation Agreement with SFSU Ltr Dated July 21, 2010</u> |
| * | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Sewer Line Relocation Agreement</u> |
| * | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SFSU Campus Master Plan, Statement of Overriding Considerations</u> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SFSU Campus Master Plan, Finding of Fact</u> |

Completed by: LaTonia Stokes Date July 30, 2010

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Sewer Line Relocation Agreement with San Francisco State University]

2
3 **Resolution approving and authorizing the Sewer line Relocation Agreement between**
4 **the San Francisco Public Utilities Commission, on behalf of the City and County of**
5 **San Francisco, and San Francisco State University to relocate an existing sanitary**
6 **sewer and storm drain easement on Assessor's Block 7304-001 (part of the**
7 **University campus) and portions of Font Boulevard and Lake Merced Boulevard in**
8 **San Francisco; adopting findings pursuant to the California Environmental Quality**
9 **Act; adopting findings that the Relocation Agreement is consistent with the City's**
10 **General Plan and Eight Priority Policies of City Planning Code Section 101.1; and**
11 **authorizing the Director of Property to execute documents, make certain**
12 **modifications and take certain actions in furtherance of this resolution.**

13
14 WHEREAS, San Francisco State University ("University") owns certain real property
15 located in the City and County of San Francisco ("City"), including Assessor's Block 7304-
16 001, consisting of a portion of the University's campus, and Assessor's Blocks 7347 and
17 7350-001, located within the alignment of Font Boulevard and Lake Merced Boulevard in
18 the City (the "University Property"); and

19 WHEREAS, The City is benefitted by certain easement rights which are under the
20 jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") that encumber and
21 are located, in part, on the University Property, including an easement for a 24" sewer line
22 with appurtenances (the "24" Easement") and an easement for a 15" sewer line with
23 appurtenances (the "15" Easement"); and

24 WHEREAS, The University proposes to relocate portions of the 24" Easement and
25 15" Easement located on the University Property, including any pipeline facilities or related

Supervisor Sean Elsbernd
BOARD OF SUPERVISORS

1 improvements located therein, to a new area on the University Property (the "Relocation
2 Project"); and

3 WHEREAS, The SFPUC and the University have negotiated a Sewer Line
4 Relocation Agreement (the "Relocation Agreement") which provides that upon completion
5 of construction of the Relocation Project and the satisfaction of all other conditions set forth
6 in the Relocation Agreement, the University will grant to the City an easement in the
7 location of the new sewer line improvements (the "New Easement") in exchange for the
8 City vacating and quitclaiming to the University the City's interest in and to the portions of
9 the existing 24" Easement and 15" Easement located on the University Property pursuant
10 to quitclaim deeds (the "Quitclaim Deeds"); and

11 WHEREAS, Pursuant to the Relocation Agreement, the University will perform the
12 Relocation Project in accordance with plans approved by the SFPUC and the City's
13 Department of Public Works and at the University's expense; and

14 WHEREAS, The City Real Estate Department has determined that the value of the
15 new easements to be granted to the City and the value of property interest to be
16 quitclaimed to the University under the Relocation Agreement are equivalent; and

17 WHEREAS, The California State University, Board of Trustees, (CSU) acting as lead
18 agency under the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000
19 et seq., hereinafter "CEQA"), certified a Final Environmental Impact Report for the San
20 Francisco State University Campus Master Plan ("FEIR"), State Clearinghouse Number
21 2006102050, in November 2007; and prepared and adopted an Initial Study/Mitigated
22 Negative Declaration (IS/MND), State Clearinghouse Number 2006032125, in May 2006, to
23 analyze a Creative Arts Center Project proposed to be on the property where the University
24 intends to relocate the SFPUC easement; and prepared an Addendum No. 1 to the FEIR in
25 August 2009 to address minor project changes and additional project description

1 information, as well as environmental conditions that had become better known following
2 certification of the FEIR; and

3 WHEREAS, In May 2006, CSU initially adopted the IS/MND for the Creative Arts
4 Building, Mitigation Measures that were made a part of the CSU Project, and Findings that
5 were pursuant to CEQA, and filed a Notice of Determination with respect to that action; and
6 in November 2007, CSU adopted a Resolution (RCPBG 11-07-23) which certified the FEIR,
7 and approved the Campus Master Plan Revision with Enrollment Ceiling Increase at San
8 Francisco State University, and adopted Findings of Fact and applicable Mitigation
9 Measures identified in the Mitigation Monitoring Program for Agenda Item 4 of the Nov 13-
10 14, 2007 meeting, including a Statement of Overriding Considerations that outweigh
11 remaining unavoidable significant impacts to historic resources, traffic, and university
12 population and nearby residents from construction noise; and

13 WHEREAS, CSU has already adopted the Mitigation Measures recommended in the
14 FEIR and the IS/MND, and has authority to implement the Mitigation Measures or to seek
15 any required approvals for the Mitigation Measures; and

16 WHEREAS, The FEIR, IS/MND, and Addendum No. 1 were made available for
17 review by the public, and the SFPUC, acting as a responsible agency under CEQA,
18 reviewed and considered the FEIR, IS/MND, and Addendum No. 1 for the Relocation
19 Project, including the environmental effects of the Relocation Project set forth therein; and

20 WHEREAS, On July 27, 2010, the SFPUC in SFPUC Resolution No. 10-0111
21 specifically adopted CSU Findings with respect to the IS/MND on the Creative Arts Building
22 Project adopted in May 2006, including Mitigation Measures adopted; CSU Resolution No.
23 RCPBG 11-07-23 with respect to the Campus Master Plan FEIR, adopted November 2007,
24 including the CEQA Findings of Fact, Mitigation Monitoring Program, and the Statement of
25

1 Overriding Considerations; and the Addendum No. 1 to the FEIR, issued in August 2009
2 (the "CEQA Findings"); and

3 WHEREAS, The SFPUC found that this approval of the Relocation Project is within
4 the scope of the Campus Master Plan Program, the Creative Arts Building Project, and
5 activities evaluated in the CSU FEIR, IS/MND, and Addendum No. 1; and

6 WHEREAS, The SFPUC further found that since the FEIR, IS/MND, and Addendum
7 No. 1 were finalized, there had been no substantial changes in Relocation Project
8 circumstances that would require major revisions to the CSU environmental documents due
9 to the involvement of new significant environmental effects or an increase in the severity of
10 previously identified significant impacts, and there was no new information of substantial
11 importance that would change the conclusions set forth in the CSU environmental
12 documents; and

13 WHEREAS, The SFPUC did not identify any feasible alternative or additional
14 feasible Mitigation Measures within its powers that would substantially lessen or avoid any
15 significant effect that the Relocation Project would have on the environment and has no
16 direct authority to implement the Mitigations Measures contained in the CEQA Findings
17 approved in SFPUC Resolution No. 10-0111 ; and

18 WHEREAS, The SFPUC found that the public interest would not be inconvenienced
19 or harmed by the relocation and vacation of the existing 24" Easement or 15" Easement, or
20 by an exchange of the existing 24" Easement and 15" Easement for the New Easement;
21 and

22 WHEREAS, The Relocation Project files, including the FEIR, IS/MND, Addendum
23 No. 1, and SFPUC Resolution No. 10-0111 , have been made available for review by this
24 Board of Supervisors and the public, and those files are considered part of the record
25 before this Board of Supervisors; and

1 WHEREAS, This Board of Supervisors has reviewed and considered the information
2 and findings contained in the FEIR, PEIR, Addendum No. 1, and SFPUC Resolution No.
3 10-0111, and all written and oral information provided by the Planning Department, the
4 public, relevant public agencies, the SFPUC, and other experts, and the administrative files
5 for the Relocation Project; and

6 WHEREAS, A copy of the Relocation Agreement between the City and the
7 University is on file with the Clerk of this Board of Supervisors under File No.
8 101015; and

9 WHEREAS, The Director of Property has determined that the University will bear the
10 expense of the Project; and

11 WHEREAS, The Planning Department in a letter of November 9, 2009, found that
12 the Relocation Agreement is consistent with the City's General Plan and with the Eight
13 Priority Policies of City Planning Code Section 101.1, which letter is on file with the Clerk of
14 the Board of Supervisors under File No. 101015 and is incorporated herein by this
15 reference; now, therefore, be it

16 RESOLVED, That this Board of Supervisors finds that since the adoption of the
17 CEQA Findings under SFPUC Resolution No. 10-0111, there have been no
18 substantial project changes and no substantial changes in the project circumstances that
19 would require major revisions to the FEIR due to the involvement of new significant
20 environmental effects or an increase in the severity of previously identified significant
21 impacts, and there is no new information of substantial importance that would change the
22 conclusions set forth in the FEIR; and, be it

23 FURTHER RESOLVED, That this Board of Supervisors, as a responsible agency
24 under CEQA, hereby adopts the CEQA Findings approved and incorporated in SFPUC
25

1 Resolution No. 10-0111 for the same reasons set forth in SFPUC Resolution No.
2 10-0111 and incorporated herein by this reference; and, be it

3 FURTHER RESOLVED, That this Board of Supervisors hereby finds that the
4 Relocation Agreement is consistent with the General Plan and with the Eight Priority
5 Policies of City Planning Code Section 101.1 for the same reasons as set forth in the
6 Planning Department letter of November 9, 2009, and incorporated herein by this
7 reference; and, be it

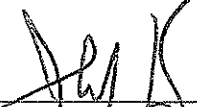
8 FURTHER RESOLVED, That in accordance with the recommendations of the
9 SFPUC and the Director of Property, this Board of Supervisors hereby approves the
10 Relocation Agreement and the transaction contemplated thereby in substantially the form of
11 such agreement presented to this Board of Supervisors; and, be it .

12 FURTHER RESOLVED, That this Board of Supervisors authorizes the Director of
13 Property to enter into any additions, amendments or other modifications to the Relocation
14 Agreement (including, without limitation, the attached exhibits) that the Director of Property
15 determines are in the best interest of the City, that do not increase the costs to the City for
16 the easement relocation or otherwise materially increase the obligations or liabilities of the
17 City, and are necessary or advisable to complete the transaction contemplated in the
18 Relocation Agreement and effectuate the purpose and intent of this resolution, such
19 determination to be conclusively evidenced by the execution and delivery by the Director of
20 Property of the Relocation Agreement and any amendments thereto; and, be it .

21 FURTHER RESOLVED, That the Director of Property is hereby authorized and
22 urged, in the name and on behalf of the City, to quitclaim the existing 15" Easement and
23 24" Easement in exchange for the New Easement in accordance with the terms and
24 conditions of the Relocation Agreement, and to take any and all steps (including, but not
25 limited to, the execution and delivery of any and all certificates, agreements, notices,

1 consents, escrow instructions, closing documents and other instruments or documents) as
2 the Director of Property deems necessary or appropriate in order to consummate the
3 exchange of the easements pursuant to the Relocation Agreement, or to otherwise
4 effectuate the purpose and intent of this resolution, such determination to be conclusively
5 evidenced by the execution and delivery by the Director of Property of any such
6 documents.

7 RECOMMENDED:

8
9 
10 _____
11 Amy L. Brown
12 Director of Property
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FORM SFEC-126:
NOTIFICATION OF CONTRACT APPROVAL
(S.F. Campaign and Governmental Conduct Code § 1.126)

City Elective Officer Information <i>(Please print clearly.)</i>	
Name of City elective officer(s): Mayor Gavin Newsom; Members, SF Board of Supervisors	City elective office(s) held: Mayor, City and County of San Francisco; Members, SF Board of Supervisors
Contractor Information <i>(Please print clearly.)</i>	
Name of contractor: Trustees of the California State University, acting by and through its San Francisco State University.	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i> See Attached	
Contractor address: 1600 Holloway Avenue, San Francisco, CA 94132	
Date that contract was approved: <i>Upon approval of the Board and Mayor</i>	Amount of contract: None
Describe the nature of the contract that was approved: Sewer Line Relocation Agreement	
Comments:	

This contract was approved by (check applicable):

- the City elective officer(s) identified on this form (Mayor, Gavin Newsom)
- a board on which the City elective officer(s) serves San Francisco Board of Supervisors
Print Name of Board
- the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

Filer Information <i>(Please print clearly.)</i>	
Name of filer:	Contact telephone number:
Address:	E-mail:

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

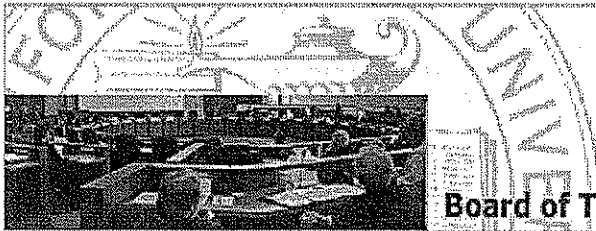
Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed



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- Teaching & Learning
- Administration
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Address List

Ex Officio Trustees	
Trustee	Address
Hon. Arnold Schwarzenegger	Governor of California State Capitol Sacramento, CA 95814 (916) 445-2841
Hon. Abel Maldonado	Lieutenant Governor State Capitol Sacramento, CA 95814
Hon. John Pérez	Speaker of the Assembly State Capitol Sacramento, CA 94249 (916) 319-2047
Hon. Jack O'Connell	State Superintendent of Public Instruction 1430 N Street, Suite 5602 Sacramento, CA 95814 (916) 319-0800
Dr. Charles B. Reed	Chancellor California State University 401 Golden Shore, Rm. 641 Long Beach, CA 90802 (562) 951-4700
Appointed Trustees	
Trustee appointments are for an eight-year term, except for student, alumni and faculty trustees, whose terms are for two years. Terms expire in the year in parentheses.	
Trustee Officers	Arnold Schwarzenegger, President Herbert L. Carter, Chair Robert Linscheid, Vice Chair Christine Helwick, Secretary Benjamin F. Quillian, Treasurer
Trustee	Address
Ms. Roberta Achtenberg (2015)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Nicole M. Anderson (2011)	(Voting Student Trustee) c/o Trustee Secretariat

	401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Dr. Herbert L. Carter (2011)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Mrs. Carol R. Chandler (2012)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Dr. Debra S. Farar (2014)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Dr. Kenneth Fong (2013)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Ms. Margaret Fortune (2016)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4022
Dr. George G. Gowgani (2018)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Ms. Melinda Guzman (2012)	Partner Goldsberry, Freeman, Guzman & Ditora, LLP 777 12th Street, Suite 250 Sacramento, CA 95814 (916) 448-0448
Mr. William Hauck (2017)	California Business Roundtable 1215 K St., Suite 1570 Sacramento, CA 95814 (916) 553-4093
Mr. Raymond W. Holdsworth (2011)	President AECOM Technology Corporation 555 South Flower Street, Suite 3700 Los Angeles, CA 90071 (213) 593-8706
Ms. Linda Lang (2017)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
A. Robert Linscheid (2012)	Alumni Trustee President The Linscheid Company 555 Main Street, #400 Chico, CA 95928 (562) 951-4020
Dr. Peter Mehas (2015)	c/o Trustee Secretariat CSU Office of the Chancellor 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020

Henry Mendoza (2016)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Mr. Lou Monville (2014)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
Dr. Glen Toney (2013)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020
C.C. Yin (2018)	c/o Trustee Secretariat 401 Golden Shore, Suite 136 Long Beach, CA 90802 (562) 951-4020

Content Contact:
Trustee Secretariat

Technical Contact:
webmaster@calstate.edu

Last Update: July 08, 2010



PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 10-0111

WHEREAS, San Francisco State University ("University") owns certain real property located in the City and County of San Francisco ("City"), including Assessor's Block 7304-001, consisting of a portion of University's campus, and Assessor's Blocks 7347-001 and 7350-001, located within the alignment of Font Boulevard and Lake Merced Boulevard in the City (the "University Property"); and

WHEREAS, The City is benefitted by certain easement rights which are under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") that encumber and are located, in part, on the University Property, including an easement for a 24" sewer line with appurtenances (the "24" Easement") and an easement for a 15" sewer line with appurtenances (the "15" Easement"); and

WHEREAS, The University proposes to relocate, at their expense, portions of the 24" Easement and 15" Easement located on University Property, including any pipeline facilities or related improvements located therein, to a new area on the University Property (the "Relocation Project"); and

WHEREAS, The SFPUC and University have negotiated a Sewer Line Relocation Agreement (the "Agreement") which provides that upon completion of construction of the Relocation Project and the satisfaction of all other conditions set forth in the Agreement, University will grant to City an easement (the "New Easement") in the location of the new sewer line improvements, in exchange for City vacating and quitclaiming to University City's interest in and to the portions of the existing 24" Easement and 15" Easement located on University Property pursuant to quitclaim deeds (the "Quitclaim Deeds"); and

WHEREAS, Pursuant to the Agreement, University will perform the Relocation Project in accordance with plans approved by SFPUC and City's Department of Public Works ("DPW"), at University's expense; and

WHEREAS, The Planning Department, by letter dated November 9, 2009, declared that the proposed sewer line relocation was in conformity with the General Plan and with the priority policies of Planning Code Section 101.1; now, therefore, be it

RESOLVED, The SFPUC, acting as a responsible agency under the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), hereby adopts the following findings of fact and law under CEQA, and the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., hereinafter "CEQA Guidelines"), in conjunction with its approval of the Agreement between the City and County of San Francisco (CCSF), acting through its Public Utilities Commission (SFPUC) and University:

A. The California State University, Board of Trustees, (CSU) acting as lead agency under CEQA, certified a Final Environmental Impact Report for the San Francisco State University Campus Master Plan (hereinafter "FEIR") in November 2007. The State Clearinghouse Number for the FEIR is 2006102050. Prior to completion of the FEIR, CSU prepared and adopted an Initial Study/Mitigated Negative Declaration (IS/MND) in May 2006, to analyze a Creative Arts Center project, proposed to be located on the property wherein the Agreement provides for relocation of the SFPUC easement. The State Clearinghouse Number for the IS/MND is

FURTHER RESOLVED, That SFPUC finds that the public interest will not be inconvenienced or harmed by the relocation and vacation of the existing 24" Easement or 15" Easement, or by an exchange of the old 24" Easement area and 15" Easement area for the New Easement Area; and, be it

FURTHER RESOLVED, That this Commission authorizes the General Manager of the SFPUC to seek approval of City's Board of Supervisors of the Agreement, and upon such approval to execute and deliver the Agreement in substantially the form presented to this Commission, and to take all acts set forth in the Agreement to effectuate the relocation of the sewer lines, the vacation of City's interest in and to the portions of the existing 24" Easement and 15" Easement located on University Property, and the exchange of real property interests as contemplated in the Agreement; and, be it

FURTHER RESOLVED, That upon approval by City's Board of Supervisors, this Commission authorizes the General Manager of the SFPUC and/or the Director of Property to execute and deliver the Quitclaim Deeds conveying the vacated and abandoned easement areas to University and accept a new easement deed conveying the New Easement to City upon University's satisfactory completion of the Relocation Project and any other conditions provided for in the Agreement; and, be it

FURTHER RESOLVED, That upon approval by City's Board of Supervisors, this Commission authorizes the General Manager and the Director of Property to take any and all other steps they or the City Attorney deem necessary and advisable to effectuate the purpose and intent of this Resolution.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *July 27, 2010*



Secretary, Public Utilities Commission



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER
(415) 558-6378

DIRECTOR'S OFFICE
PHONE: 558-6411

4TH FLOOR
FAX: 558-6426

ZONING ADMINISTRATOR
PHONE: 558-6350

5TH FLOOR
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PHONE: 558-6377

MAJOR ENVIRONMENTAL
FAX: 558-5991

COMMISSION CALENDAR
INFO: 558-6422

INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

November 9, 2009

Mr. Simon Chan
Department of Public Works.
Bureau of Street-Use and Mapping
875 Stevenson Street, Room 460
San Francisco, CA 94103-0942

RECEIVED
BUREAU OF STREET USE & MAPPING

NOV 17 2009

DEPT. OF PUBLIC WORKS

Re: 2009.0404R
SFSU Proposed Major Encroachment Permit
Utilities extension at 755 Font Blvd (Assessor's Block 7304)

Dear Mr. Chan:

On May 20 2009, the Planning Department received your request to determine whether the proposed Major Encroachment Permit to occupy a portion of Font Boulevard from the main SFSU Campus at 3711 19th Avenue to 755 Font Blvd and Sewer Relocation Agreement to relocate a sewer easement at the same site would be in-conformity with the General Plan. San Francisco State University (SFSU) has requested the Major Encroachment Permit in order to trench and install privately maintained underground utilities in the Font Boulevard public right-of-way. On August 7, 2009, the Planning Department received a revised application requesting the inclusion of a sewer easement be added to the original application. The public right-of-way proposed to be utilized by SFSU is shown on an attached Overall Site Layout Map (Attachment 1). The site is located at the southwestern corner of the SFSU campus. The proposed major encroachment permit, sewer relocation, and utility easement are, on balance, **in-conformity** with the *General Plan*, as described in the attached staff report.

The project would include the Major Encroachment Permit to extend one fire and four domestic water lines, four medium-voltage electrical lines, and six telecommunication lines from the main SFSU campus to 755 Font Blvd (AB 7304). In addition, the sewer lines are to be relocated from the center of the parcel to the southeast corner of the parcel. Finally, a sleeve for a future 3 inch diameter gas line and a 6 inch diameter domestic water line would be incorporated in an easement located below the mid-block traffic circle on Font Boulevard.

The General Plan permits such use of portions of rights-of-way, provided that the City retains ownership of the right-of-way for its current and future use as a public resource, such as for maintenance and retrofitting of the underground resources, providing public access to adjacent properties, general circulation, or other public uses. The project has been reviewed for consistency with the Eight Priority Policies of the Planning Code Section 101.1 and the findings are attached. The proposed Major Encroachment Permit, Sewer Relocation Agreement, and utility easements are, on balance, **in-conformity** with the *General Plan*.

Environmental Review

On September 10, 2009, the Department has determined that the project is Categorical Exempt from Environmental Review under Class 1 (c) of the California Environmental Quality Act (repair, maintenance and minor alteration of existing streets and sidewalks).

Sincerely,

A handwritten signature in black ink, appearing to read "John Rahaim", with a long horizontal stroke extending to the right.

John Rahaim

Cc: AKiefer, PD

Attachments

1. Overview Site Layout Map
2. Sewer Relocation Proposal
3. Utility Easement Proposal
4. Staff Report *General Plan* Policies
5. Planning Code Section 101.1 Policies

I:\Citywide\General Plan\General Plan Referrals\2009\ 2009.0404R revised 11_9_09.doc

Re: 2009.0404R
Utilities extension under Font Boulevard at 755 Font Blvd (Assessor's Block 7304)
SFSU Proposed Major Encroachment Permit, Sewer Relocation Agreement, and
Utility Easement

STAFF REPORT - GENERAL PLAN POLICIES

Note: General Plan Objectives and Policies in **Bold font**; General Plan text is in regular font.
Staff comments are in *italic font*.

TRANSPORTATION ELEMENT

POLICY 1.2

Ensure the safety and comfort of pedestrians throughout the city.

Safety is a concern in the development and accommodation of any part of the transportation system, but safety for pedestrians (which includes disabled persons in wheelchairs and other ambulatory devices) should be given priority where conflicts exist with other modes of transportation.

Pedestrian safety will not be impacted by the project.

URBAN DESIGN ELEMENT - CONSERVATION

Street Space

POLICY 2.8

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

Street areas have a variety of public values in addition to the carrying of traffic. They are important, among other things, in the perception of the city pattern, in regulating the scale and organization of building development, in creating views, in affording neighborhood open space and landscaping, and in providing light and air and access to properties.

The proposal is not a street vacation, but instead a major encroachment and sewer relocation, and so does not represent a permanent release of street area. The public will still retain ownership. No buildings are proposed to be constructed in the space.

POLICY 2.9

Review proposals for the giving up of street areas in terms of all the public values that streets afford.

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review: a. No release of a street area shall be recommended which would result in:

- (1) Detriment to vehicular or pedestrian circulation;
- (2) Interference with the rights of access to any private property;
- (3) Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
- (4) Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;
- (5) Elimination or reduction of open space which might feasibly be used for public recreation;
- (6) Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;
- (7) Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;
- (8) Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;
- (9) Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;
- (10) Removal of significant natural features, or detriment to the scale and character of surrounding development.
- (11) Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or
- (12) Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.

Permitting a Major Encroachment Permit in the Font Boulevard right-of-way and Sewer Relocation on the parcel would not be inconsistent with these policies. It would not result in impact to travel lanes or existing parking strips. It would not result in adverse effects described in concerns listed in paragraphs 1 – 12 above.

b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:

POLICY 2.10

Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.

In order to avoid the unnecessary permanent loss of streets as public assets, methods of release short of total vacation should be considered in cases in which some form of release is warranted. Such lesser methods of release permit later return of the street space to street

purposes, and allow imposition of binding conditions as to development and use of the street area.

This is a major encroachment permit and sewer relocation, not a street vacation; therefore the City will not be releasing the street from public ownership.

The proposal is, on balance, in X conformity not in conformity with the General Plan.

Re: 2009.0404R
Utilities extension under Font Boulevard at 755 Font Blvd (Assessor's Block 7304)
SFSU Proposed Major Encroachment Permit, Sewer Relocation Agreement, and
Utility Easement

Planning Code Section 101.1 Eight Priority Policies

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

Project is not in conflict with this policy.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

Project is not in conflict with this policy.

3. That the City's supply of affordable housing be preserved and enhanced;

Project is not in conflict with this policy.

4. That commuter traffic not impede Muni transit services or overburden our streets or neighborhood parking;

Project is not in conflict with this policy.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

Project is not in conflict with this policy.

6. That the City achieve the greatest possible preparedness to protect against injury and the loss of life in an earthquake.

Project is not in conflict with this policy.

7. That landmarks and historic buildings be preserved; and

Project is not in conflict with this policy.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Project is not in conflict with this policy.



Amy L. Brown
Director of Real Estate



July 21, 2010

Through Edwin M. Lee, City Administrator

Honorable Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Re: Resolution to approve Sewer Line Relocation Agreement with San Francisco State University

Dear Board Members:

Attached for your consideration is a Resolution authorizing the City and County of San Francisco (City), on behalf of the San Francisco Public Utilities Commission (SFPUC), to enter into a Sewer Line Relocation Agreement with San Francisco State University (SFSU) to relocate an existing sanitary sewer and storm drain easement.

SFPUC owns a portion of Font Boulevard and Lake Merced Boulevard, as well as certain easement rights for a 24" sewer line and a 15" sewer line bisecting Assessor's Block 7304-001, which formerly was part of the Park Merced development and is now part of the San Francisco State University campus. SFSU and SFPUC have negotiated a Sewer Line Relocation Agreement that will authorize the vacation and exchange of the City's existing easement encumbering Assessor's Block 7304 for an equivalent easement for a replacement line that will serve the same area. The replacement line will be located in a new easement area consisting of Assessor's Block 7304-001, 7347 and 7350-001.

SFSU is planning to construct a new Creative Arts Center on SFSU property. The proposed project includes, in part, the relocation of the existing pipeline facilities and replacement with equivalent new sewer lines and related improvements at their expense. SFSU will perform the relocation project in accordance with plans approved by SFPUC and the Department of Public Works.

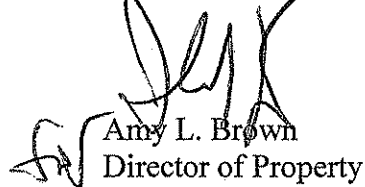
CEQA documents consisting of the Campus Master Plan EIR, Findings of Fact and Statement of Overriding Consideration, Initial Study/Mitigated Negative Declaration (IS/MND) for the Creative Arts Building and Approval Resolution, and Addendum No. 1 have been considered and approved as part of the agenda item for this matter before the San Francisco Public Utilities Commission.

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In addition to the Resolution, enclosed find copies of:

1. Sewer Line Relocation Agreement between the Trustees of the California State University, acting by and through its San Francisco State University and the City and County of San Francisco acting by and through its Public Utilities Commission.
2. SFPUC Resolution No. _____ authorizing the General Manager of SFPUC to seek Board of Supervisors approval to enter into the Sewer Line Relocation Agreement.
3. City's Planning letter dated November 9, 2009 stating that the proposed sewer relocation project is in conformity with the General Plan.
4. Form SFEC – 126: Notification of Contract Approval

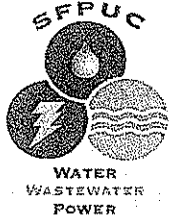
Very truly yours,



Amy L. Brown
Director of Property

Attachments

cc: GDowd, SFPUC
HBrandt, City Attorney's Office
NAmbrose, City Attorney's Office
CWong, DPW
JUpdike, RED



AGENDA ITEM
Public Utilities Commission
City and County of San Francisco



DEPARTMENT External Affairs AGENDA NO. _____

MEETING DATE July 27, 2010

Authorize Sewer Easement Relocation: Regular Calendar
Project Manager: Gary Dowd

Authorize the General Manager of the San Francisco Public Utilities Commission (SFPUC) to Seek Board of Supervisors Approval of a Sewer line Relocation Agreement

<p>Summary of Proposed Commission Action:</p>	<p>Authorize the General Manager of the San Francisco Public Utilities Commission (SFPUC) to seek Board of Supervisors approval to enter into a Sewer line Relocation Agreement on behalf of the City and County of San Francisco with San Francisco State University (SF State), to relocate an existing sanitary sewer and storm drain easement on Assessor's Block 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard, San Francisco; and adopt Findings pursuant to the California Environmental Quality Act.</p>
<p>Background & Description of Agreement:</p>	<p>Background: SFPUC owns a portion of Font Boulevard and Lake Merced Boulevard, as well as certain easement rights for a 24" sewer line bisecting Block 7304, which formerly was part of the Park Merced development and is now part of the San Francisco State campus. SF State and City staffs have agreed upon a Sewer Line Relocation Agreement that will authorize the vacation and exchange of the City's existing easement encumbering Block 7304 for an equivalent easement for a replacement line, serving the same area. University has designed a replacement line and associated improvements, which have been approved by the Department of Public Works Hydraulics Division and the SFPUC.</p> <p>SF State will construct, install, and connect a new permanent 24" sewer line within the University campus and on portions of Font and Lake Merced Boulevards. In addition, SF State will complete and</p>

APPROVAL:

DEPARTMENT / BUREAU _____

FINANCE Todd L. Rydstrom

COMMISSION SECRETARY Mike Housh

GENERAL MANAGER Ed Harrington

	<p>connect a permanent 15" line within the campus and on a portion of Lake Merced Boulevard. Once construction of the new lines is complete and approved and accepted by the City, SF State will then disconnect the current sewer line, part of which occupies the site of the new Creative Arts Building, and City will quitclaim to SF State the vacated and abandoned portion of the old easement area.</p> <p>City Real Estate Department has determined that the value of the new easements to be granted SFPUC and the value of property interest to be quitclaimed to SF State are equivalent.</p> <p>The replacement sewer, to be constructed to current SFPUC standards, will replace an aging segment of sewer line. There will be no cost to the SFPUC. SFPUC staff, City Real Estate Department, City Attorney, and Department of Public Works staff have participated in the negotiation of the proposed agreement and are satisfied that the City's interests are protected.</p> <p>Description of Agreement: A copy of the Relocation Agreement is on file with the Commission Secretary.</p> <table border="1" data-bbox="537 951 1446 1476"> <tr> <td data-bbox="537 951 850 1129">Parties to Agreement:</td> <td data-bbox="850 951 1446 1129">San Francisco Public Utilities Commission and San Francisco State University</td> </tr> <tr> <td data-bbox="537 1129 850 1182">Purpose:</td> <td data-bbox="850 1129 1446 1182">Relocate Sewer Easement</td> </tr> <tr> <td data-bbox="537 1182 850 1346">Location:</td> <td data-bbox="850 1182 1446 1346">Assessor's Block 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard, San Francisco San Francisco, CA</td> </tr> <tr> <td data-bbox="537 1346 850 1476">Commencement Date:</td> <td data-bbox="850 1346 1446 1476">July, 2010, subject to Board of Supervisors approval.</td> </tr> </table>	Parties to Agreement:	San Francisco Public Utilities Commission and San Francisco State University	Purpose:	Relocate Sewer Easement	Location:	Assessor's Block 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard, San Francisco San Francisco, CA	Commencement Date:	July, 2010, subject to Board of Supervisors approval.
Parties to Agreement:	San Francisco Public Utilities Commission and San Francisco State University								
Purpose:	Relocate Sewer Easement								
Location:	Assessor's Block 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard, San Francisco San Francisco, CA								
Commencement Date:	July, 2010, subject to Board of Supervisors approval.								
Result of Inaction:	SFPUC will not receive a reconstructed sewer at no cost.								
Budget & Costs:	There is not funding required for this Agreement.								
Recommendation:	SFPUC staff recommends that the Commission adopt the attached Resolution.								
Attachment(s):	<ol style="list-style-type: none"> 1. SFPUC Resolution 2. Copy of Relocation Agreement 								

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. _____

WHEREAS, San Francisco State University ("University") owns certain real property located in the City and County of San Francisco ("City"), including Assessor's Block 7304-001, consisting of a portion of University's campus, and Assessor's Blocks 7347-001 and 7350-001, located within the alignment of Font Boulevard and Lake Merced Boulevard in the City (the "University Property"); and

WHEREAS, The City is benefitted by certain easement rights which are under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") that encumber and are located, in part, on the University Property, including an easement for a 24" sewer line with appurtenances (the "24" Easement") and an easement for a 15" sewer line with appurtenances (the "15" Easement"); and

WHEREAS, The University proposes to relocate, at their expense, portions of the 24" Easement and 15" Easement located on University Property, including any pipeline facilities or related improvements located therein, to a new area on the University Property (the "Relocation Project"); and

WHEREAS, The SFPUC and University have negotiated a Sewer Line Relocation Agreement (the "Agreement") which provides that upon completion of construction of the Relocation Project and the satisfaction of all other conditions set forth in the Agreement, University will grant to City an easement (the "New Easement") in the location of the new sewer line improvements, in exchange for City vacating and quitclaiming to University City's interest in and to the portions of the existing 24" Easement and 15" Easement located on University Property pursuant to quitclaim deeds (the "Quitclaim Deeds"); and

WHEREAS, Pursuant to the Agreement, University will perform the Relocation Project in accordance with plans approved by SFPUC and City's Department of Public Works ("DPW"), at University's expense; and

WHEREAS, The Planning Department, by letter dated November 9, 2009, declared that the proposed sewer line relocation was in conformity with the General Plan and with the priority policies of Planning Code Section 101.1; now, therefore, be it

RESOLVED, The SFPUC, acting as a responsible agency under the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), hereby adopts the following findings of fact and law under CEQA, and the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., hereinafter "CEQA Guidelines"), in conjunction with its approval of the Agreement between the City and County of San Francisco (CCSF), acting through its Public Utilities Commission (SFPUC) and University:

A. The California State University, Board of Trustees, (CSU) acting as lead agency under CEQA, certified a Final Environmental Impact Report for the San Francisco State University Campus Master Plan (hereinafter "FEIR") in November 2007. The State Clearinghouse Number for the FEIR is 2006102050. Prior to completion of the FEIR, CSU prepared and adopted an Initial Study/Mitigated Negative Declaration (IS/MND) in May 2006, to analyze a Creative Arts Center project, proposed to be located on the property wherein the Agreement provides for relocation of the SFPUC easement. The State Clearinghouse Number for the IS/MND is

2006032125. CSU also prepared an Addendum No. 1 to the FEIR in August 2009 to address minor project changes and additional project description information, as well as environmental conditions that had become better known following certification of the FEIR.

B. The FEIR, the IS/MND and the Addendum No. 1 have been made available for review by the SFPUC and the public. The SFPUC, as a responsible agency under CEQA, has considered the FEIR, the IS/MND and the Addendum for the Relocation Project, including the environmental effects of the Relocation Project set forth therein. The documents are available for public review at the San Francisco Public Utilities Commission Department offices at 1155 Market Street, as well as at the CSU Offices, Capital Planning, Design and Construction, 1600 Holloway Avenue, San Francisco, CA 94132, which is the custodian of records.

C. CSU initially adopted the IS/MND for the Creative Arts Building, in May 2006, adopted Mitigation Measures that were made a part of the CSU Project, and adopted Findings pursuant to CEQA, and filed a Notice of Determination with respect to that action. In November 2007, CSU adopted a Resolution (RCPBG 11-07-23) which certified the FEIR, and approved the Campus Master Plan Revision with Enrollment Ceiling Increase at San Francisco State University, and adopted Findings of Fact and applicable mitigation measures identified in the Mitigation Monitoring Program for Agenda Item 4 of the Nov 13-14, 2007 meeting, and including a Statement of Overriding Considerations that outweigh remaining unavoidable significant impacts to historic resources, traffic, and to university population and nearby residents from construction noise.

D. The SFPUC hereby specifically adopts and incorporates by reference as though fully set forth herein, and as a part of the record of this approval: CSU findings with respect to the IS/MND on the Creative Arts Building project adopted in May 2006, including mitigation measures adopted; CSU Resolution No. RCPBG 11-07-23 with respect to the Campus Master Plan FEIR, adopted November 2007, including the CEQA findings of fact, mitigation monitoring and reporting program, and the Statement of Overriding Considerations; and the Addendum No. 1 to the FEIR, issued in August 2009, which may be found in SFPUC Commission files for this SFPUC Resolution at 1155 Market Street, San Francisco, CA.

E. The SFPUC finds that this approval of the Relocation Project is within the scope of the Program, Project and activities evaluated in the CSU FEIR, IS/MND and Addendum No. 1.

F. The SFPUC further finds that since the FEIR, IS/MND and Addendum No. 1 were finalized, there have been no substantial changes in Relocation Project circumstances that would require major revisions to the CSU environmental documents due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the CSU environmental documents.

G. The SFPUC has not identified any feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the Relocation Project would have on the environment.

H. CSU has already adopted the mitigation measures recommended in the FEIR, and the IS/MND, has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and the SFPUC has no direct authority to implement the mitigation measures; and, be it

FURTHER RESOLVED, That SFPUC finds that the public interest will not be inconvenienced or harmed by the relocation and vacation of the existing 24" Easement or 15" Easement, or by an exchange of the old 24" Easement area and 15" Easement area for the New Easement Area; and, be it

FURTHER RESOLVED, That this Commission authorizes the General Manager of the SFPUC to seek approval of City's Board of Supervisors of the Agreement, and upon such approval to execute and deliver the Agreement in substantially the form presented to this Commission, and to take all acts set forth in the Agreement to effectuate the relocation of the sewer lines, the vacation of City's interest in and to the portions of the existing 24" Easement and 15" Easement located on University Property, and the exchange of real property interests as contemplated in the Agreement; and, be it

FURTHER RESOLVED, That upon approval by City's Board of Supervisors, this Commission authorizes the General Manager of the SFPUC and/or the Director of Property to execute and deliver the Quitclaim Deeds conveying the vacated and abandoned easement areas to University and accept a new easement deed conveying the New Easement to City upon University's satisfactory completion of the Relocation Project and any other conditions provided for in the Agreement; and, be it

FURTHER RESOLVED, That upon approval by City's Board of Supervisors, this Commission authorizes the General Manager and the Director of Property to take any and all other steps they or the City Attorney deem necessary and advisable to effectuate the purpose and intent of this Resolution.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *July 27, 2010*

Secretary, Public Utilities Commission

**San Francisco State University
Campus Master Plan**

Statement of Overriding Considerations

**(Pursuant to Sections 21081 and 21081.6 of the Public Resources Code
and Sections 15091 and 15093 of the CEQA Guidelines)**

**Final Environmental Impact Report
(State Clearinghouse Number 2006102050)**

STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (CEQA Guidelines 15093(a).) CEQA requires the agency to state, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines 15093(b).)

In accordance with the requirements of CEQA and the CEQA Guidelines, the Board of Trustees finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program, when implemented, will avoid or substantially lessen virtually all of the significant effects identified in the Final EIR for San Francisco State University Campus Master Plan. However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. The project would result in significant and unavoidable impacts to a) historic resources, b) traffic, and c) university population and nearby residents from construction noise. The Final EIR provides detailed information regarding these impacts.

The Board of Trustees finds that all feasible mitigation measures identified in the Final EIR within the purview of the University will be implemented with the project, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits based upon the facts set forth above, the Final EIR, and the record, as follows:

- a) San Francisco State University has distinguished itself as a center of academic scholarship, creative innovation and civic involvement. Located in one of the most vibrant and popular cities in the world, a range of ideas, opinions and resources converge at SFSU to offer students unparalleled opportunities for learning, exploration, creativity and discovery. From the arts to science, journalism to public service, business or teaching, many of San Francisco State's alumni, who total nearly 170,000 men and women, are now leaders in their fields.
- b) The development of the proposed campus master plan enables SF State to help the CSU address projected enrollment demand and to improve and expand access to higher education for the residents of the San Francisco Bay Area and the State of California as a whole.
- c) The campus master plan creates a physical framework to support the teaching and public service mission of the University, including instruction, support, residential facilities and infrastructure; a dynamic intellectual and social community; and educational opportunities for an increasingly diverse population.
- d) The campus master plan allows for the development of approximately 0.9 million gross square feet of academic and support facilities to remedy existing and future space shortages, correct deficiencies and technological obsolescence in existing facilities, accommodate

planned program direction in instruction, research and public service functions, and provide capacity for future program requirements.

- e) The provision of affordable housing will enhance the University's ability to recruit new faculty and staff members, thereby enhancing San Francisco State University's standing as a premier undergraduate, graduate and research institution in the State of California. New faculty and staff recruitment is needed to replace retiring campus employees and to provide for expanded enrollment. Development of affordable housing is critical to attracting and retaining the qualified faculty and staff necessary to provide quality public higher education for the San Francisco Bay Area and the state.
- f) The project incorporates environmentally sound, sustainable planning and design concepts including: providing housing and neighborhood retail development with enhanced walkability and transit accessibility for students, faculty, and staff; emphasizing the use of alternative transportation; designing future buildings at greater density than existing in order to more efficiently utilize land resources and preserve open space; utilizing an open stormwater management system that retains and infiltrates water on site; and re-creating a seasonal creek that flows into Lake Merced, thereby raising water levels and contributing to the health of the watershed.
- g) The campus master plan will constitute a significant economic benefit to San Francisco and the Bay Area. San Francisco State University has a significant beneficial economic impact on the area's economy. Each dollar spent locally by San Francisco State cycles through the area economy, generating additional income and employment.
- h) The campus is the thirteenth largest employer in San Francisco. This is particularly significant because of the quality and diversity of new jobs that are related to the implementation of the campus master plan.
- i) San Francisco State University provides many direct services for both on-campus and off-campus users, including but not limited to: library services; recreation facilities; and academic and support services. As the campus master plan is implemented, the level of these services will grow.
- j) SF State trains seven out of every ten teachers in San Francisco's public schools.
- k) The following social benefits, currently offered by SF State to its host communities are representative of programs and initiatives that would continue to serve the Bay Area and the entire region upon the implementation of the campus master plan:
 - A pioneer in learning through community, SF State offers nearly 300 courses that combine academic study with community involvement. For example, students help elderly immigrants learn to read, write and pass citizenship exams, through participation in service learning programs called Students Helping in the Naturalization of Elders and Students Assisting with Immigrant Literacy, SHINE and SAIL. SF State is one of about five universities nationwide, and the only CSU

campus, to include community service learning credit on student transcripts. In 2005-06, about 37 percent of all SF State students took part in service learning classes, contributing 332,348 hours to the surrounding community. That contribution would add up to about \$2.24 million if paid at the California minimum wage of \$6.75 an hour.

- San Francisco State provides many indirect community contributions in the form of education, artistic, and cultural enrichment to residents of the Bay Area through such functions as extension courses, performing arts events, art exhibits, and workshops. For instance, each year since 1952 SF State's Morrison Artists' Series presents a series of free recitals by prominent chamber music ensembles, which San Francisco Chronicle music critic Joshua Kosman describes as an "indispensable" and "invaluable" contribution to the local music scene.
- The University has more than 100 centers, institutes and special programs that address such varied issues as the health of San Franciscans, K-12 student skills, small business success and science skills for inner-city youth.
- SF State is tackling the No. 1 cause of California children's hospitalizations and missed school days with leadership of a statewide program to fight asthma. Community Health Works, the educational partnership between SF State and City College of San Francisco, has been tapped by The California Endowment to coordinate a \$12 million, statewide program to fight asthma at its sources: where children live, learn and play. CHW will coordinate a dozen community-based partnerships across the state that identify and reduce asthma triggers.
- Helping former substance abusers get their lives off to a new start, SF State brings higher education to the nationally recognized residential treatment center, Delancey Street, giving clients the opportunity to earn a bachelor's degree in urban studies while completing their rehabilitation. Classes are taught by SF State faculty, with guest lectures from civic and government leaders.
- One of the few nonprofit research organizations in San Francisco to focus on key economic and community development issues, the Institute for Civic and Community Engagement at SF State addresses workforce preparation, urban environmental restoration, inner-city education and health. The Institute uses the research and analytic resources of the University to build collaborative projects with businesses, labor, city agencies and community organizations.
- The Marian Wright Edelman Institute for the Study of Children, Youth, and Families, named in honor of the founder and president of the Children's Defense Fund, focuses on the needs of children and adolescents. The Institute drives collaborations between SF State and the community, fosters child-centered research and offers an interdisciplinary program on child and adolescent development that prepares students for work with children and families or in research and public policy. The Institute became the first university affiliate of the national Jumpstart organization in 1997. Today more than 50 college students are working with Jumpstart to build the literacy and learning skills of 3- to 5-year-olds in San

Francisco's Bayview-Hunters Point, Mission, Marina, Richmond and South of Market neighborhoods.

- SF State's Romberg Tiburon Center for Environmental Studies is headquarters for the 3,700-acre San Francisco Bay National Estuarine Research Reserve, working to restore tidal marshes and protect estuarine habitat through research, monitoring and educational programs. Dedicated in 2003, the SF Bay NERR is the third such reserve in California and one of 26 nationwide.
- Internationally trained health professionals gain a foothold in California's job market with help from the Welcome Back program, operated in partnership with City College of San Francisco. The nonprofit functions as a counseling, education and job placement service for immigrant health professionals, helping them navigate the state's licensing system and obtain the necessary credentials to work in the United States. Made possible through a \$2 million grant from The California Endowment, Welcome Back also aims to increase the numbers and ethnic diversity of health professionals practicing in medically underserved areas.
- The SF State Institute on Sexuality, Inequality and Health conducted the first-ever study of physical and mental health outcomes of lesbian, gay and bisexual youth who disclose their sexual orientation to family members during adolescence. One of the first research studies to focus on the youths' families and their responses after the youths "come out," the three-year study uncovered ways that families can best support gay, lesbian and bisexual youths and help foster their resiliency.
- SF ROCKS (Reaching Out to Communities and Kids with Science in San Francisco), an SF State-based project aimed at increasing the number of students of color who enter college as geoscience majors, helps San Francisco high school students learn about environmental hazards in their own neighborhood while at the same time piques their interest in the geosciences, among the least diverse of all disciplines. Thirteen Burton High sophomores in the program shared their research at the 2003 annual meeting of the American Geophysical Union (AGU), the first time the AGU invited high school students to present scientific posters to its more than 9,800 attending scientists from around the world.
- The Osher Lifelong Learning Institute in the College of Extended Learning offers courses, lectures, symposia and travel programs geared specifically toward enriching the lives of the Bay Area's older learners and tapping the students' experience and knowledge to help solve local and statewide problems.
- California Poets in the Schools, the largest writers-in-schools program in the nation, began at SF State in 1964 as the Pegasus Project which arranged poetry readings in Bay Area classrooms. Now a statewide organization reaching 29 counties, California Poets in the Schools estimates it has introduced more than a half million K-12 students to the creative writing process.
- In 2006, SF State was among the recipients of the first President's Higher Education Community Service Honor Roll Award, presented by the Corporation for National and Community Service, in recognition of the University's community service

efforts.

- In 2006, SF State was one of 76 U.S. colleges and universities selected by the Carnegie Foundation for the Advancement of Teaching for a new Community Engagement Classification. SF State is one of 62 institutions in the Curricular Engagement and Outreach & Partnerships category of the new classification. The designation recognizes the University's substantial commitments to "teaching, learning and scholarship which engage faculty, students and community in mutually beneficial and respectful collaboration."
 - In 2007, the University transformed an on-campus student apartment into a model for sustainable, eco-friendly living. Other sustainability accomplishments at SF State include energy conservation measures supported in part by \$1,057,177 in grants and incentives from PG&E, composting of food waste from the student dining center, and a pilot recycling program with a 75-percent diversion rate.
 - MacArthur Fellowship ("genius award") recipient Ralf Hotchkiss has dedicated his career to the social integration of people with disabilities. The founder of Whirlwind Wheelchair International based at SF State, he has brought improved mobility to more than 15,000 people in Africa, Asia and Latin America by creating a global network of wheelchair inventors, designers, users and manufacturers to address the need for wheelchairs in the developing world.
 - The Tall Ship Education Academy (TSEA), a program of the Recreation and Leisure Studies department, was named the 2006 Sea Education Program of the Year by the American Sail Training Association (ASTA). TSEA offers experiential education programs, including a 15 week program for high school girls, in which they operate and navigate a traditionally rigged vessel on the open sea.
 - Business Professor Gary Selnow founded a nonprofit organization WiRED (World Internet Resources for Education and Development) to bring computer hardware, software and training to areas worldwide ravaged by disease or conflict. In the war-torn Balkans, he has focused the technologies on teaching children about cooperation and enhancing their access to educational materials. In Nicaragua, Internet cafes provide free information access to healthcare workers and the poor -- and a source of revenue for helping land mine victims. And in Africa, nine new community health information centers provide life-saving information on HIV/AIDS, malaria and other illnesses.
- l) The campus master plan, when compared to the other alternatives analyzed in the Final EIR (including the No Project Alternative) provides the best available balance between maximizing attainment of the project objectives and minimizing significant environmental impacts.

Considering all factors, the Board of Trustees finds that there are specific economic, legal, social, technological and other considerations associated with the project that outweigh the project's significant unavoidable effects, and the adverse effects are therefore considered acceptable.

**San Francisco State University
Campus Master Plan Project**

Findings of Fact

**(Pursuant to Sections 21081 and 21081.6 of the Public Resources Code
and Sections 15091 and 15093 of the CEQA Guidelines)**

**Final Environmental Impact Report
(State Clearinghouse Number 2006102050)**

FINDINGS OF FACT

1.0 INTRODUCTION

This statement of findings addresses the environmental effects associated with the San Francisco State University (SF State) Campus Master Plan project located on the SF State campus in San Francisco, California. These findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081 and 21081.6 of the Public Resources Code and Sections 15091 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et. Seq. The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as additional facts found in the complete record of proceedings.

Public Resources Code 21081 and Section 15091 of the CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The California State University (CSU) Board of Trustees is the lead agency responsible for preparation of the EIR in compliance with CEQA and the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In accordance with Public Resource Code 21081 and Section 15093 of the CEQA Guidelines, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations, pursuant to the CEQA Guidelines.

SEWER LINE RELOCATION AGREEMENT

This Sewer Line Relocation Agreement (the "Agreement") is made and entered into this day of _____, 2010, between the Trustees of the California State University, acting by and through its San Francisco State University, acting in a higher education capacity through its duly appointed and acting officer (collectively referred to hereafter as "University"), and the City and County of San Francisco, a municipal corporation, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City" or "SFPUC"). University and City are collectively referred to hereafter as the "Parties."

RECITALS

- A. University owns that certain real property located in the Parkmerced area of the City and County of San Francisco, State of California, constituting (i) a portion of Assessor's Block 7304-001, and (ii) Assessor's Blocks 7347- 001 and 7350-001 located within the alignment of Font Blvd., as more particularly depicted on Exhibit A attached hereto (collectively, "University Property").
- B. City owns that certain real property located in the Parkmerced area of the City and County of San Francisco, State of California, commonly known as portions of Font Blvd. and Lake Merced Blvd., adjacent to the University Property, as more particularly depicted on Exhibit A attached hereto ("City Property").
- C. City has certain easement rights (the "24" Pipeline Easement") for a twenty-four inch (24") vitrified clay pipe (VCP) sewer line and related appurtenances located in part, on, under and through the University Property (the "Existing 24" Pipeline"), which City acquired in two segments: (1) through the "Record of Survey Map of Parkmerced," filed August 21, 1951, in Map Book "R" at Page 15, in the Official Records of the County of San Francisco; and (2) by a deed of exchange recorded April 17, 1953, in Book 6138 at Page 152, in the Official Records of the County of San Francisco (the "1953 Exchange Deed"). City also has certain easement rights (the "15" Pipeline Easement") for a fifteen inch (15") sewer line and related appurtenances located in part, on, under and through the University Property (the "Existing 15" Pipeline") which City acquired by an exchange deed recorded June 25, 1970, in Book B434 at Page 507, in the Official Records of the County of San Francisco (the "1970 Exchange Deed"). The Existing 24" Pipeline and the Existing 15" Pipeline are referred to collectively as the "Existing Pipelines."
- D. University is planning to construct a new Creative Arts Center on the University Property. The proposed project includes, in part, the relocation by University of portions of the Existing Pipelines and replacement with an equivalent new sewer line to accommodate the project. To relocate the applicable portions of the Existing Pipelines, University intends to: (1) construct, install, connect and complete, free of liens, a permanent twenty-four inch (24") VCP sewer line to be located within portions of the University Property and portions of Font Blvd. owned by City, as depicted on Exhibit A; (2) construct, install, connect and complete, free of liens, a permanent fifteen inch (15") sewer line to be located within portions of the University Property and portions of Lake Merced Blvd owned by City, as depicted on Exhibit A ((1) and (2) collectively shall be known as the "New Pipeline Improvements"); and (3) once the New Pipeline Improvements are in operation and City has made a completeness determination (as described in Section 3.C. below) for the New Pipeline Improvements, then disconnect, cap the ends, and abandon in place the remaining portions of the Existing Pipelines which are located on the University Property and a portion of City Property, as shown on Exhibit A ((1), (2), and (3) collectively shall be known as the "Pipeline Relocation Project").



**SAN FRANCISCO STATE UNIVERSITY
NEW CREATIVE ARTS BUILDING PROJECT AND
MAJOR CAMPUS MASTER PLAN CHANGE**

**MITIGATED NEGATIVE DECLARATION/
INITIAL STUDY
SCH. No. 2006032125**

Prepared for:
Board of Trustees of the California State University, Lead Agency
Capital Planning, Design and Construction
1600 Holloway Avenue
San Francisco, CA 94132-4021

Prepared By:
URS Corporation
55 South Market Street, Suite 1500
San Jose, CA 95113

May 2006

*See file for complete document.

**SAN FRANCISCO STATE UNIVERSITY
 NEW CREATIVE ARTS BUILDING PROJECT AND
 2006 MASTER PLAN REVISION
 1600 Holloway Avenue
 San Francisco, CA**

Mitigated Negative Declaration / Initial Study

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CAMPUS MASTER PLAN
San Francisco State University

Addendum No. 1 to the Final
Environmental Impact Report
(SCH #2006102050)

Creative Arts Center Project

Prepared by:

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URS

August 2009

** See file for complete document*

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CAMPUS MASTER PLAN ENVIRONMENTAL IMPACT REPORT

SAN FRANCISCO STATE UNIVERSITY

SCH # 2006102050

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August 2007



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