

File No. 111214

Committee Item No. 1

Board Item No. 32

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 28, 2011

Board of Supervisors Meeting

Date December 6, 2011

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" 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 checked="" 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 (Use back side if additional space is needed)

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|---------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Municipal Transportation Agency Resolution No. 11-107</u> |
| * <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Phelan Plaza Lease Agreement</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Miller Date November 23, 2011

Completed by: Alisa Miller Date December 1, 2011

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

1 [Real Property Lease - Near the Intersection of Phelan and Ocean Avenues - San
2 Francisco Community College District]

3 **Resolution approving the lease of property near the intersection of Phelan and Ocean**
4 **Avenues for a public plaza for seventy-five years to San Francisco Community College**
5 **District, an institution of higher education organized under the State of California**
6 **Education Code (SFCCD); adopting environmental findings and other findings that the**
7 **actions set forth in this Resolution are consistent with the City's General Plan and**
8 **Eight Priority Policies of City Planning Code Section 101.1; and authorizing other**
9 **actions in furtherance of this Resolution.**

10
11 WHEREAS, The Municipal Transportation Agency (SFMTA) has jurisdiction over a
12 portion of property owned by the City and County of San Francisco (City) and located within a
13 portion of Lot 001, Block 3180, west of the intersection of Phelan Avenue and Ocean Avenue,
14 San Francisco, California (Plaza Property); and

15 WHEREAS, SFMTA uses the Plaza Property and adjacent City property under SFMTA
16 jurisdiction (Housing Property) for a Muni bus loop (Existing Bus Loop); and

17 WHEREAS, The Balboa Park Station Area Plan (Plan), adopted by the City's Board of
18 Supervisors on April 7, 2009, and approved by the City's Mayor on April 17, 2009, included a
19 public plaza element on the Plaza Property and a housing element on the Housing Property;
20 and,

21 WHEREAS, The Plaza Property and the Housing Property cannot be developed for the
22 public plaza and housing elements without sufficient funds to pay the costs to relocate and
23 reconfigure the Existing Bus Loop; and

24 WHEREAS, The Redevelopment Agency of the City and County of San Francisco
25 (Agency) purchased the Housing Property from SFMTA for the development of a mixed-use

1 affordable housing project through an agreement approved through Ordinance No. 49-11,
2 adopted by the City's Board of Supervisors on March 15, 2011, and approved by the City's
3 Mayor on March 16, 2011, on file with the Clerk of the Board of Supervisors in File No.
4 110115 and incorporated herein by reference, and the proceeds from such sale will be used
5 to partially fund the reconfiguration and relocation of the Existing Bus Loop; and

6 WHEREAS, The SFMTA conditionally received a grant of additional funds from the
7 Federal Transit Administration and Metropolitan Transportation Commission that would pay
8 for the remainder of the costs to reconfigure and relocate the Existing Bus Loop and the costs
9 to design and build a public plaza on the Plaza Property; and

10 WHEREAS, A public plaza on the Plaza Property would abut the new Muni bus loop,
11 SFCCD's Ocean Campus and other proposed housing and mixed-use developments within
12 this sub-area of the Plan, resulting in an integrated Transit Oriented Development consistent
13 with the goals of the Plan; and

14 WHEREAS, The SFCCD's Ocean Campus abuts the Plaza Property and SFCCD
15 would benefit from the development of the Plaza Property as a public plaza for public and
16 gateway uses; and

17 WHEREAS, The SFMTA is willing to lease the Plaza Property to SFCCD, and SFCCD
18 is willing to lease the Plaza Property from SFMTA, for 75 years on the terms and conditions of
19 a lease agreement (Lease), on file with the Clerk of the Board of Supervisors in File No.

20 111214, which is incorporated herein by reference; and

21 WHEREAS, On August 2, 2011, the SFMTA Board of Directors approved the Lease
22 through adoption of Resolution No. 11-107, on file with the Clerk of the Board of Supervisors
23 in File No. 111214, which is incorporated herein by reference; and

24 WHEREAS, In a letter to the Department of Real Estate dated November 5, 2010, the
25 City's Planning Department found that the Lease is consistent with the City's General Plan

1 and with the Planning Code Section 101.1(b). A copy of such letter is on file with the Clerk of
2 the Board of Supervisors in File No. 110115 and is incorporated herein by reference. The
3 Board of Supervisors finds that the actions contemplated in this Resolution are consistent with
4 the City's General Plan and with the Planning Code Section 101.1(b) for the reason set forth
5 in said letter; and

6 WHEREAS, On December 4, 2008, pursuant to Motion No. 17775, the San Francisco
7 Planning Commission (Planning Commission) certified the Final Environmental Impact Report
8 (FEIR) for the Plan, which contemplated, among other things, the development of public open
9 space on the Plaza Property, adopted environmental findings pursuant to the California
10 Environmental Quality Act (CEQA) and a Statement of Overriding Considerations for
11 significant and unavoidable transportation and historical resources impacts, and established a
12 Mitigation Monitoring Program that attaches mitigation measures and improvement measures
13 identified in the FEIR; and

14 WHEREAS, The Board of Supervisors approved Ordinance No. 60-09 to adopt the
15 Plan and, as part of that action, also adopted the environmental findings of the Planning
16 Commission as its own, and a copy of Ordinance No. 60-09, the FEIR and the Planning
17 Commission motions, including the environmental findings, Statement of Overriding
18 Considerations, and Mitigation Monitoring Program, are on file with the Clerk of the Board of
19 Supervisors in File No. 110115 and are incorporated herein by reference; and

20 WHEREAS, In approving the sale of the Housing Property to Agency, the SFMTA
21 Board relied upon the Plan EIR and adopted the Planning Commission's environmental
22 findings, Statement of Overriding Considerations and Mitigation Monitoring Program as its
23 own and adopted additional finding that there was no new information requiring subsequent
24 environmental analysis in Resolution No. 09-196 of November 17, 2009, and the SFMTA
25 Board of Directors adopted those same additional findings and incorporated SFMTA

1 Resolution No. 09-196 by reference in approving the proposed Lease under SFMTA
2 Resolution No. 11-107; and

3 WHEREAS, The Board of Supervisors adopts and incorporates by reference these
4 additional environmental findings of the SFMTA Board of Directors as its own; and

5 WHEREAS, In accordance with the recommendation of the Director of Transportation
6 of the SFMTA and the Acting Director of Property, the Board of Supervisors hereby declares
7 that the public interest or necessity will not be inconvenienced by the Lease; now, therefore,
8 be it

9 RESOLVED, That the Board of Supervisors hereby authorizes and directs the Director
10 of Property and the Director of Property of the SFMTA to enter into the Lease and to cause
11 the City to perform the obligations and exercise the rights described in the Lease; and, be it

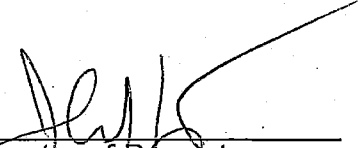
12 FURTHER RESOLVED, That the Mayor, the Clerk of the Board of Supervisors, the
13 Director of Transportation of the SFMTA, and the Director of Property are each authorized
14 and directed to take any and all actions which such party, in consultation with the City
15 Attorney, determines are in the best interest of the City, do not materially increase the
16 obligations of the City or materially decrease the benefits of the City, are necessary or
17 advisable to consummate the performance of the purposes and intent of this Resolution, and
18 comply with all applicable laws, including the City's Charter, including any modifications or
19 amendments to the Lease.

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RECOMMENDED:



Director of Transportation
San Francisco Municipal Transportation Agency (SFMTA)



Acting Director of Property
Real Estate Division

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 11-107

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) operates a bus loop on certain City real property under SFMTA's jurisdiction, located at the intersection of Phelan Avenue and Ocean Avenue and known as a portion of Assessor's Block 3180, Lot 1 (City Property); and

WHEREAS, The City wishes to facilitate the Property in accordance with the Balboa Park Station Area Plan (Plan), adopted by the City's Board of Supervisors on April 7, 2009, and approved by the City's Mayor on April 17, 2009; and

WHEREAS, The Plan contemplates the relocation of the Existing Bus Loop, the development of a public plaza on a portion of the City Property (Plaza Parcel), and the development of a mixed-use project with affordable housing (Building) on another portion of the City Property (Housing Parcel); and

WHEREAS, The Plaza Parcel and the Housing Parcel cannot be developed unless the SFMTA receives sufficient funds to pay its costs (Relocation Costs) to relocate the existing bus loop to a proposed location east of the Plaza Parcel; and

WHEREAS, The Redevelopment Agency of the City and County of San Francisco (Agency) wishes to purchase the Housing Parcel for the development of the Building and SFMTA is willing to sell the Housing Parcel if the SFMTA has sufficient funds to pay for the Relocation Costs; and

WHEREAS, The SFMTA Board of Directors authorized the proposed sale of the Housing Parcel to the Agency pursuant to an Agreement for the Purchase and Sale of Real Property (Housing Parcel Purchase Agreement) on November 17, 2009, and April 20, 2010 under Resolutions No. 09-196 and Resolutions No. 10-051, and the City's Board of Supervisors and Mayor authorized such proposed sale on March 16, 2011 under Ordinance No. 49-11; and

WHEREAS, The purchase price to be paid to the SFMTA pursuant to the Housing Parcel Purchase Agreement would pay for a majority of the Relocation Costs, and the SFMTA has conditionally received a grant of additional funds from the Federal Transit Administration and Metropolitan Transportation Commission that would pay for the remainder of the Relocation Costs and the costs to design and build a public plaza on the Plaza Parcel; and

WHEREAS, The San Francisco Community College District (College) owns certain real property near the City Property and if both the City and College consummate a proposed exchange of property, the Plaza Parcel would abut the new southern entrance to the College's Ocean Campus; and

WHEREAS, A public plaza on the Plaza Parcel would create a natural gateway to the relocated southern entrance to the College's Ocean Campus and the College wishes to participate in the design of any such plaza and ensure it will be sufficiently maintained through the College's

long-term lease of the Plaza Parcel; and

WHEREAS, A public plaza on the Plaza Parcel would abut the relocated bus loop, the Building, College's Ocean Campus and other proposed housing and mixed-use developments in the area, resulting in an integrated Transit Oriented Development hub consisting of new housing, commercial development and public open space all supported by transit and cohesive and integrated development along Ocean Avenue planned to facilitate revitalization and economic development in the area for the benefit of the community; and

WHEREAS, The SFMTA is willing to lease the Plaza Parcel to the College, and the College is willing to lease the Plaza Parcel from the SFMTA, for 75 years on the terms and conditions of a lease agreement; and

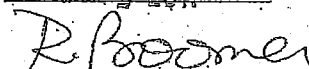
WHEREAS, On December 4, 2008, pursuant to Motion No. 17775, the San Francisco Planning Commission (Planning Commission) certified the Final Environmental Impact Report for the Plan (Plan EIR), which contemplated, among other things, the development of the Building at the Housing Parcel and public open space at the Plaza Parcel, adopted environmental findings pursuant to the California Environmental Quality Act (CEQA) and a Statement of Overriding Considerations for significant and unavoidable transportation and historical resources impacts, and established a Mitigation Monitoring Program that attaches mitigation measures and improvement measures identified in the Plan EIR; and

WHEREAS, In approving the sale of the Housing Parcel to the Agency pursuant to the Housing Purchase Agreement, the SFMTA's Board of Directors relied on the Plan EIR and adopted the Planning Commission's environmental findings, Statement of Overriding Considerations and Mitigation Monitoring Program as its own and adopted additional findings that there was no new information requiring subsequent environmental analysis in Resolution No. 09-196 on November 17, 2009, and for purposes of this action, the SFMTA Board of Directors adopts these same additional findings and incorporates the SFMTA Resolution No. 09-196 by reference herein; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors hereby approves the proposed Phelan Plaza Lease Agreement by and between the City and County of San Francisco, acting by and through the San Francisco Municipal Transportation Agency, and the San Francisco Community College District for a term of 75 years on that certain City real property under SFMTA jurisdiction, located near the intersection of Phelan Avenue and Ocean Avenue and known as a portion of Assessor's Block 3180, Lot 1; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors hereby authorizes the Executive Director/CEO of the SFMTA to request the City's Director of Property to prepare and submit legislation to the Mayor and Board of Supervisors to approve the execution of the Phelan Plaza Lease Agreement and, if it is approved, to execute the Phelan Plaza Lease Agreement.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of AUG 2 2011



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency



PHELAN PLAZA LEASE AGREEMENT

between

CITY AND COUNTY OF SAN FRANCISCO,
acting by and through the San Francisco Municipal Transportation Agency,
as Landlord

and

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT,
as Tenant

For the lease of
Phelan Plaza
San Francisco, California

August 1, 2011

**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): Members, Board of Supervisors	City elective office(s) held: Members, Board of Supervisors

Contractor Information *(Please print clearly.)*

Name of contractor: San Francisco Community College District

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.
See Attached.

Contractor address:
50 Phelan Avenue, S194, San Francisco, CA 94112

Date that contract was approved: <i>(By the SF Board of Supervisors)</i>	Amount of contract: 75 Year Lease of Phelan Plaza Property (\$0)
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Describe the nature of the contract that was approved:
75 Year Lease of Phelan Plaza Property

Comments:

This contract was approved by (check applicable):

the City elective officer(s) identified on this form

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 *(Please print clearly.)*

Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

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



FACT SHEET

50 PHELAN AVENUE • S194 • SAN FRANCISCO, CA 94112 • 415.239.3680 • FAX 415.452.5150
<http://www.ccsf.edu/about-city-college/administration/chancellors-office.html>



Dr. Don Q. Griffin
Chancellor

Dr. Don Q. Griffin was appointed Chancellor of City College of San Francisco on December 18, 2008. He was Interim Chancellor from March 1, 2008.

Dr. Griffin has 39 years of service at CCSF both as an Instructor and an Administrator. Before becoming Interim Chancellor Dr. Griffin served simultaneously as Vice Chancellor of Academic Affairs and Vice Chancellor of Student Development, having been promoted from Dean of Instruction. Prior to becoming an Administrator he was chair of the Department of Behavioral Sciences where he taught from 1969 to 1996.

As Interim Chancellor, he provided decisive and stabilizing leadership

to close the budget gap this year and next year with collaboratively developed solutions that require tough choices and spending reductions while aiming above all to preserve talented personnel and valuable services. In addition, he has called for a plan to address long term fiscal stability and intensify fundraising requirements.

As Vice Chancellor of Academic Affairs, Dr. Griffin increased full-time positions to a record number, managed fiscal crises, led the division in WASC accreditation process, and managed an extensive Program Review process. As Vice Chancellor for Student Development, he restructured that Division including Counseling, Retention Programs, Outreach, Matriculation, and Admissions and Records operations, thus increasing student access, retention, and success. For example, during the time financial aid awards more than doubled because of the re-engineering of the Financial Aid Office.

Preceding his work at City College Dr. Griffin was a Lecturer in the Department of Education, and

Assistant Director for the Special Admissions Program in the Psychology Department at San Francisco State University.

Dr. Griffin has been a licensed Psychologist in the State of California since 1982. He was recognized with an Outstanding Service Award by the Veterans Administration for his work as a Psychologist in the Veterans Affairs hospitals in the East Bay, and for his community work during the Loma Prieta earthquake of 1989.

Active in civic and professional organizations Dr. Griffin was appointed to the Association of Community College Trustees (ACCT) Advisory Committee of Presidents. He is member of the President's Roundtable of African American CEO's, and member of the American Psychological Association. Dr. Griffin was awarded a Ph.D. in Psychology from the University of California in Berkeley where he also earned his bachelor's degree in Psychology. He achieved his master's degree in Psychology from San Francisco State University.

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Vice Chancellor of Finance and Administration
Peter Goldstein

33 Gough 2249
 HUMAN RESOURCES
Clara Starr, Director
 Policies & procedures related to HR
 Initial salary schedules for academic employees
 Operation of the Staff Development Office

33 Gough 2318
 PAYROLL SERVICES
**Donald Lind
 Director**
 Payroll Taxes
 Payroll Deductions
 Retirement Reporting
 Payroll Operations (Academic & Classified)
 Managing Payroll IT Resources

B601 3047
 FACILITIES PLANNING AND CONSTRUCTION
**David Liggett
 Manager**
 Campus facility planning
 New building design and construction
 Existing facility renovation and remodeling

S142 3546
 MAINTENANCE, BUILDINGS AND GROUNDS
**Jim Keenan
 Superintendent**
 Responsible for the daily operations of all District property including maintenance and cleaning

33 Gough 2230
 BUSINESS SERVICES
**John Bilmont
 CFO**
 Accounting
 Budgeting
 Accounts Payable

33 Gough 2327
 ADMINISTRATIVE SERVICES
 Contract Processing
 Mail Services
 Bookstore
 Accounting
 Real Estate
 Bursar
 Parking Fund
 Lab Aid Funds
 Procurement

31 Gough 2356
 HUMAN RESOURCES
**Mia Nguyen
 Associate Director**
 Non-administrative academic personnel
 Contract compliance
 Health benefit eligibility
 Staff Development Activities
 Develop and coordinate new hires