

1 [Mission Bay Interdepartmental Jurisdiction Transfer]
 2 APPROVING AND AUTHORIZING THE TRANSFER OF ADMINISTRATIVE JURISDICTION
 3 OVER CERTAIN PROPERTY IN MISSION BAY SOUTH DESCRIBED AS THE CITY
 4 FACILITIES PARCEL, FROM WHICH THE BURTON ACT TRUST AND PUBLIC TRUST
 5 SHALL BE REMOVED IN CONNECTION WITH THE CLOSING OF THE LAND TRANSFER
 6 AGREEMENTS, FROM THE PORT COMMISSION TO THE DIRECTOR OF
 7 ADMINISTRATIVE SERVICES; APPROVING JURISDICTION OVER CERTAIN MISSION
 8 BAY LAND TRANSFER PARCELS IN THE PORT; ADOPTING FINDINGS PURSUANT TO
 9 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING FINDINGS THAT
 10 SUCH TRANSFER OF JURISDICTION IS CONSISTENT WITH THE CITY'S GENERAL
 11 PLAN AND EIGHT PRIORITY POLICIES OF CITY PLANNING CODE SECTION 101.1.

12 WHEREAS, The City and County is the owner of certain real property in Mission Bay
 13 described as the "City Facilities Parcel" shown on the maps which are on file with the Clerk of
 14 the Board of Supervisors in File No. 98-1435, which property is under the jurisdiction
 15 of the San Francisco Port Commission and is currently held subject to the Burton Act trust
 16 and the public trust for commerce, navigation and fisheries (the "Property"); and,

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17 WHEREAS, Pursuant to companion Board of Supervisors ~~Resolution~~ Ordinance
 18 Nos. 330-98, 331-98 and 332-98, adopted on October 30, 1998,
 19 the City, including through its Port Commission (the "Port"), intends to enter into amendments
 20 and restatements of the Mission Bay City Land Transfer Agreement (the "Amended CLTA")
 21 with Catellus Development Corporation ("Catellus") and into the Mission Bay Port Land
 22 Transfer Agreement (the "Amended PLTA") with Catellus, and the City, including the Port,
 23 intends to enter into an amendment and restatement of the Agreement Concerning the Public
 24 Trust (the "Amended ACPT") with Catellus and the State of California, pertaining to the
 25 transfer and exchange of certain land in Mission Bay, including the Property, and copies of

SUPERVISOR, YAKI, TENG, NEWSOM, BIERMAN, MEDINA, BROWN, AMMIANO, KATZ, LENO, YEE
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1 the Amended CLTA, the Amended PLTA and the Amended ACPT are on file with the Clerk of
2 the Board of Supervisors under File Nos. 98-1435 and 98-1435, respectively,
3 and are collectively referred to below as the "Land Transfer Agreements"; and,

4 WHEREAS, By Ordinance No. 327-98, adopted on October 30, 1998, the
5 Board of Supervisors approved a Redevelopment Plan for the Mission Bay North
6 Redevelopment Project, and by Ordinance No. 335-98, adopted on November 2,
7 1998, the Board of Supervisors also approved a Redevelopment Plan for the Mission Bay
8 South Redevelopment Project; and,

9 WHEREAS, In connection with the closing of the transfers of land under the Land
10 Transfer Agreements, the Burton Act trust and the public trust shall be removed from the
11 Property, and thereafter such Property no longer will need to be held under the jurisdiction of
12 the Port Commission, and the transfer of administrative jurisdiction over such Property will
13 facilitate the redevelopment of the North and South Plan Areas under the Redevelopment
14 Plans; and,

15 WHEREAS, In accordance with the provisions of Section 23.10 of the San Francisco
16 Administrative Code, the Director of Administrative Services, in a letter to the Mayor dated
17 August 25, 1998, has requested that such property be transferred to the Director of
18 Administrative Services for the purposes of facilitating the implementation of the Mission Bay
19 North and South Redevelopment Plans, a copy of which letter is on file with the Clerk of the
20 Board under File No. 98-1435; and,

21 WHEREAS, In accordance with the provisions of Section 23.11 of the San Francisco
22 Administrative Code, the Director of Property, by letter dated August 25, 1998, has reported
23 to the Mayor that in the Director's opinion this real property and any and all improvements
24 thereon can be most advantageously used by the Director of Administrative Services, and
25 has recommended that the transfer be made; and,

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1 WHEREAS, In accordance with the provisions of Section 23.12 of the San Francisco
2 Administrative Code, the Port Commission, by its Resolution No. 98-97 adopted on
3 September 22, 1998, has consented to the transfer, a copy of which resolution is on file
4 with the Clerk of the Board in File No. 981438; and,

5 WHEREAS, On September 17, 1998, the City Planning Commission, by Motion
6 No. 14696, and the Redevelopment Agency Commission, by Resolution
7 No. 182-98, certified the Final Subsequent Environmental Impact Report for the
8 Mission Bay Project ("Final SEIR") as accurate, adequate and objective and in compliance
9 with the California Environmental Quality Act ("CEQA"), which certification was affirmed by
10 the Board of Supervisors by Motion No. M98-132; and,

11 WHEREAS, This Board of Supervisors has reviewed and considered the information
12 contained in the Final SEIR; and,

13 WHEREAS, For purposes of compliance with CEQA, the Amended CLTA and
14 Amended PLTA, which are the reason for the transfer of jurisdiction authorized by this
15 resolution, are part of the Mission Bay project examined in the Final SEIR for which the Board
16 of Supervisors, by Resolution No. 854-98, has adopted findings with respect to the
17 Final SEIR as required by CEQA, which findings are on file with the Clerk of the Board of
18 Supervisors under File No. 981427, and which findings are incorporated herein by
19 this reference; and,

20 WHEREAS, The Planning Commission, by its Resolution No. 14699, adopted
21 on September 17, 1998, found that such transfer of jurisdiction is consistent with the General
22 Plan and with the eight Priority Policies of Planning Code Section 101.1; and,

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1 WHEREAS, In accordance with the provisions of Section 23.12 of the San Francisco
2 Administrative Code, the Mayor has recommended the proposed transfer of jurisdiction in a
3 letter dated September 10 1998, a copy of which letter is on file with the Clerk of the Board
4 in File No. 98-1435; now, therefore, be it

5 RESOLVED, Pursuant to San Francisco Administrative Code Section 23.13, this Board
6 of Supervisors finds and determines that upon the closing of the Land Transfer Agreements,
7 the Property, including any and all improvements thereon, will no longer be needed by nor
8 can it be used advantageously by the Port Commission, and that it can be most
9 advantageously used by the Director of Administrative Services; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors hereby adopts and
11 incorporates the findings under CEQA contained in such resolution by reference as though
12 such findings were fully set forth in this resolution; and, be it

13 FURTHER RESOLVED, That this Board of Supervisors adopts as its own and
14 incorporates by reference herein as though fully set forth the findings made by the Planning
15 Commission in its Resolution No. 14699 with regard to consistency of the
16 jurisdictional transfer with the General Plan and eight Priority Policies of Planning Code
17 Section 101.1 for the reasons stated therein, and hereby incorporates such finding by
18 reference as though fully set forth herein; and, be it

19 FURTHER RESOLVED, That jurisdiction of the Property, including any and all
20 improvements thereon, shall be transferred to the Director of Administrative Services effective
21 as of the date of the closing of the Land Transfer Agreements, and at such time as a new
22 combined police and fire facility is constructed on the Property, administrative jurisdiction may
23 be transferred to the Fire and Police Departments in accordance with the procedures set forth
24 in the Administrative Code; and, be it

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1 FURTHER RESOLVED, That the Port and the City's Director of Property are hereby
2 authorized to enter into a memorandum of understanding with respect to the Property
3 allowing the Port's continued use of and retention of revenue from the Property until such
4 time as the City wishes to commence construction of the community facilities on the Property,
5 as provided in Sections 3.1.1.4 and 5.1.8 of the Amended PLTA; and, be it

6 FURTHER RESOLVED, That consistent with the Amended CLTA and Amended
7 PLTA, any Catellus Transfer Parcels as described in the Amended CLTA that are to be
8 developed as public streets in the Port's jurisdiction shall be held under the administrative
9 jurisdiction of the Port Commission; and, be it

10 FURTHER RESOLVED, That the Director of Administrative Services, the Director of
11 Property, the Executive Director of the Port and any other officers or employees of the City
12 are authorized and urged to take all appropriate action to effectuate the purposes of this
13 resolution; and, be it

14 FURTHER RESOLVED, That the approval under this resolution shall take effect upon

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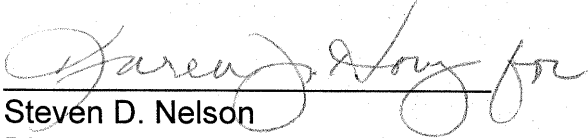
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SUPERVISOR YAKI
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1 the effective date of the amendments to the General Plan approved under Board of
2 Supervisors Ordinance No. 324-98, adopted on October 30, 1998.

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4 RECOMMENDED:

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6 _____
7 Douglas F. Wong
8 Executive Director
9 Port of San Francisco

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11 _____
12 Steven D. Nelson
13 Director of Administrative Services

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16 Anthony J. DeLucchi
17 Director of Property

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SUPERVISOR YAKI
BOARD OF SUPERVISORS



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Resolution

File Number: 981438

Date Passed:

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

October 19, 1998 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

October 26, 1998 Board of Supervisors — ADOPTED

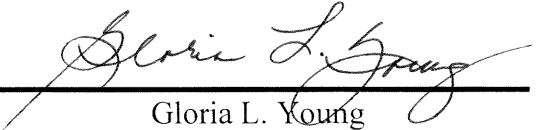
Ayes: 10 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki,

Yee

Excused: 1 - Kaufman

File No. 981438

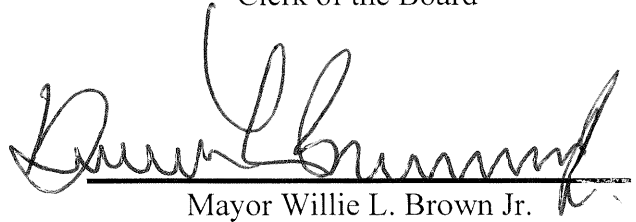
I hereby certify that the foregoing Resolution was ADOPTED on October 26, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 30 1998

Date Approved



Mayor Willie L. Brown Jr.

File No. 981438 continued...