

File No. 140454

Committee Item No. \_\_\_\_\_

Board Item No. 31

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date June 3, 2014

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER (Use back side if additional space is needed)

- BOS Resolution No. 145-14
- Hearing notice documentation
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: John Carroll Date May 29, 2014

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Resolution of Intent - Street Vacation - Quint Street Railroad Crossing Improvement Project -  
2 Quint Street, McKinnon Ave and Newcomb Ave]

3 **Resolution declaring the intention of the Board of Supervisors to vacate a portion of**  
4 **Quint Street, McKinnon Avenue, Newcomb Avenue as a part of the Quint Street**  
5 **Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for**  
6 **all persons interested in the proposed vacation of said street areas.**

7  
8 WHEREAS, The Quint Street Railroad Crossing Improvement Project (Project), to be  
9 executed by the Peninsula Corridor Joint Powers Board (JPB), involves the improvement of a  
10 dilapidated railroad overcrossing at Quint Street north of Newcomb; and

11 WHEREAS, The Project will result in construction of a physical berm across Quint  
12 Street to stabilize the rail corridor crossing at that location, which will result in closure of Quint  
13 Street and other noted affected areas of Newcomb Avenue and McKinnon Avenues  
14 (collectively, the "Vacation Area"); and

15 WHEREAS, This vacation proceeding for the Project is conducted under the general  
16 vacation procedures of the Public Streets, Highways and Service Easements Vacation Law  
17 (California Streets and Highways Code, section 8300 et seq.); and

18 WHEREAS, Section 787(a) of the San Francisco Public Works Code provides that the  
19 street vacation procedures for the City and County of San Francisco (the "City") shall be in  
20 accordance with the applicable provisions of the California Streets and Highways Code and  
21 such rules and conditions as are adopted by the Board of Supervisors; and

22 WHEREAS, The location and extent of the Vacation Area is more particularly described  
23 on the draft Department of Public Works' SUR Map No. 2013-005, a copy of said map is on  
24 file with the Clerk of the Board of Supervisors in File No. 140452 and incorporated herein by  
25 reference; and

1           WHEREAS, In the undated draft DPW Order, a copy of which is on file with the Clerk of  
2 the Board of Supervisors in File No.140452 and incorporated herein by reference, the Director  
3 of the Department of Public Works determined: (a) the Vacation Area is no longer necessary  
4 for the City's present or prospective future public street and sidewalk purposes; (b) in  
5 accordance with the Streets and Highways Code, Section 892 and 8314, the right-of-way and  
6 part thereof proposed for vacation are no longer useful as a nonmotorized transportation  
7 facility, as defined in Section 887, because the design of the Project includes a new facility for  
8 bicycle and pedestrian movement that are equal to or in excess of what may currently exist;  
9 (c) the proposed quitclaim of public right-of-way to the JPB is necessary for execution of the  
10 Project and the City shall convey said quitclaim in the future once the real property title issues  
11 are addressed; (d) the value of the public right-of-way to that the City will convey to the JPB is  
12 negligible, and of no greater value than those rights previously quitclaimed at no cost to City  
13 by JPB in relation to an adjacent but unrelated development project; and (e) there are no  
14 physical public utility or private facilities within the Vacation Area except those of the SFPUC  
15 for waterline purposes; and

16           WHEREAS, The public interest, convenience and necessity require that the City  
17 reserve from the vacation of the Vacation Area an easement for the benefit of the City's Public  
18 Utilities Commission (SFPUC) for waterline purposes in, upon, and under that certain portion  
19 of the Vacation Area in which their respective in-place and functioning facility is located, to the  
20 extent necessary to maintain, operate, repair and remove existing lines of pipe and other  
21 convenient structures, equipment and fixtures for the SFPUC, together with reasonable  
22 access to the foregoing utility for the purposes set forth above. The City also shall reserve  
23 temporary rights for the JPB to construct and maintain the Railroad Crossing Improvement  
24 Project until the City resolves the real property title issues in the Vacation Area and quitclaims  
25

1 the underlying property to the JPB subject to the abovementioned reservation for the SFPUC;  
2 and

3 WHEREAS, The Planning Department, in a letter dated June 24, 2013, determined that  
4 the proposed vacation is, on balance, consistent with the General Plan and priority policies of  
5 Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the Board of  
6 Supervisors in File No. 140452, and is incorporated herein by reference; and

7 WHEREAS, Subject to the reservations and conditions specified in this Resolution,  
8 none of the Vacation Area is necessary for present or prospective public use; and

9 WHEREAS, Except as specifically provided above, the public interest, convenience,  
10 and necessity require that no other easements or other rights be reserved for any public or  
11 private utility facilities that in place in the Vacation Area and that any rights based upon any  
12 such public or private utility facilities be extinguished; now, therefore, be it

13 RESOLVED, That under section 8320 et seq. of the California Streets and Highway  
14 Code, the Board of Supervisors hereby declares that it intends to order the vacation of the  
15 Vacation Area as shown on SUR Map No. 2013-005, which is incorporated herein by  
16 reference; and be it

17 FURTHER RESOLVED, That notice is hereby given that on June 3, 2014, at 3:00 P.M.  
18 in the Legislative Chambers of the Board of Supervisors, all persons interested in or objecting  
19 to the proposed vacation will be heard; and be it

20 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
21 to transmit to the Department of Public Works a certified copy of this Resolution, and the  
22 Board of Supervisors directs the Director of Public Works and Clerk of the Board to publish  
23 and post this Resolution and to give notice of the hearing of such contemplated action in the  
24 manner required by law.

25 n:\Andlas2014\9690013\00923556.doc



**City and County of San Francisco**  
**Tails**  
**Resolution**

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

**File Number:** 140452

**Date Passed:** May 06, 2014

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Quint Street, McKinnon Avenue, Newcomb Avenue as a part of the Quint Street Railroad Crossing Improvement Project; and setting a hearing date of June 3, 2014, for all persons interested in the proposed vacation of said street areas.

May 05, 2014 Land Use and Economic Development Committee - AMENDED

May 05, 2014 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

May 06, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140452

I hereby certify that the foregoing Resolution was ADOPTED on 5/6/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor

5/13/14

Date Approved

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

## PROOF OF POSTING

Legislative File No. 140454

Description of Items:

Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Street Vacation Order: Ordinance File No. 140453)

I, MIGUEL GUZMAN, an employee of the City and County of San Francisco, posted the above described document(s) in at least three (3) public places along the street(s) to be affected at least ten (10) days in advance of the hearing (pursuant to CA Streets and Highways Code, Section 970.5):

Date: 05-16-2014

Time: 9:15

Location: QUINT ST Between MCKINNON AVE & JEROLD AVE.

Signature: Miguel A Guzman

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN that the City and County of San Francisco Board of Supervisors will hold a public hearing to consider the following proposed Street Vacation Order:

**Date:** Tuesday, June 3, 2014

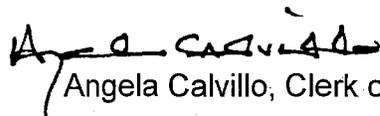
**Time:** 3:00 p.m.

**Location:** City Hall, Legislative Chamber, Room 250  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** **File No. 140454.** Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (*Street Vacation Order: Ordinance File No. 140453*)

On May 6, 2014, the Board of Supervisors considered and approved a Resolution of Intention (Resolution No. 145-14), which set the date and time for the subject hearing.

In accordance with San Francisco Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official record in this matter, and shall be brought to the attention of the Members of the Board. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, May 30, 2014.

  
Angela Calvillo, Clerk of the Board

DATED: May 16, 2014  
POSTED: May 20, 2014  
PUBLISHED: May 20 & 27, 2014  
MAILED: May 23, 2014

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

LAND USE & ECONOMIC DEVELOPMENT COMMITTEE  
NOTICE REVIEW

Legislative File No. 140452  
Notice Type Street Vacation

Initial: 

Initial: 

Date: May 13, 2014

**New Order**



**Your Order is sent.**

**Customer Information**

<b>Customer Name</b>	S.F. BD OF SUPERVISORS (NON-CONSECUTIVE)	<b>Master Id</b>	52704
<b>Address</b>	1 DR CARLTON B GOODLETT PL #244	<b>Phone</b>	4155547704
<b>City</b>	SAN FRANCISCO	<b>Fax</b>	4155547714
<b>State - Zip</b>	CA - 94102		

**Product Information**

Legal GOVERNMENT - GOVT PUBLIC NOTICE

**Order Information**

**Attention Name** Andrea Ausberry

**Billing Reference No.**

Save

**Ad Description** LU Street Vacation 140454

**Sale/Hrg/Bid Date**

**Special Instructions**

**Orders Created**

Order No.	Newspaper Name	Publishing Dates	Ad	Price Description	Price	Ad Status
2624205	SAN FRANCISCO CHRONICLE-CITY&CO. 10%, CA <b>Billed To:</b> S.F. BD OF SUPERVISORS (OFFICIAL NOTICES) <b>Created For:</b> S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)	05/20/2014, 05/27/2014	<b>Depth :</b> 4.70" <b>Lines :</b> 57	<b>\$ No Pricing Formula for 2175</b>	<b>Pricing will be done by DJC</b>	Sent

Order No.	Newspaper	View
2624205	SAN FRANCISCO CHRONICLE-CITY&CO. 10%	<a href="#">View Ad In PDF</a>

NOTICE OF PUBLIC HEARING  
 BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE  
 JUNE 3, 2014 - 3:00 PM LEGISLATIVE CHAMBER 250, CITY HALL 1 DR. CARLTON B. GOODLETT PL., S.F., CA

NOTICE IS HEREBY GIVEN that the City and County of San Francisco Board of Supervisors will hold a public hearing to consider the following proposed Street Vacation Order: File No. 140454. Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section

101.1. (Street Vacation Order: Ordinance File No. 140453) On May 6, 2014, the Board of Supervisors considered and approved a Resolution of Intention (Resolution No. 145-14), which set the date and time for the subject hearing. In accordance with San Francisco Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official record in this matter, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, May 30, 2014. Angela Calvillo, Clerk of the Board

NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS OF THE  
CITY AND COUNTY OF SAN FRANCISCO  
LAND USE AND ECONOMIC  
DEVELOPMENT COMMITTEE  
JUNE 3, 2014 - 3:00 PM LEGISLATIVE  
CHAMBER 250, CITY HALL 1 DR.  
CARLTON B. GOODLETT PL., S.F., CA  
NOTICE IS HEREBY GIVEN that the  
City and County of San Francisco Board  
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Street Vacation Order: File No. 140454.  
Hearing of persons interested in or ob-  
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Planning Code, Section 101.1. (Street  
Vacation Order: Ordinance File No.  
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to this matter will be available for public  
review on Friday, May 30, 2014. Angela  
Calvillo, Clerk of the Board

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Clerk of the Board

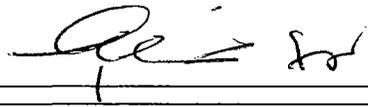
**Subject:**

Hearing - Street Vacation Order - Quint Street Railroad Crossing Improvement Project - Quint Street, McKinnon Avenue, and Newcomb Avenue

**The text is listed below or attached:**

Board of Supervisors, sitting as a Committee of the Whole on June 3, 2014, at 3:00 p.m., to consider a hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of Quint Street, McKinnon Avenue, and Newcomb Avenue as part of the Quint Street Railroad Crossing Improvement Project; quitclaiming the City's interest in the vacation areas to the Peninsula Corridor Joint Powers Board; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; and authorizing official acts in connection with this Ordinance making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Signature of Sponsoring Supervisor: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "A. J. Smith", written over a horizontal line.

For Clerk's Use Only:

