

# PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 15-0013

WHEREAS, San Francisco Charter Sections 8B.121 and 4.132 provide that the San Francisco Public Utilities Commission (SFPUC) has exclusive charge of, among other things, its real property assets; and

WHEREAS, The SFPUC has a duly appointed General Manager and pursuant to San Francisco Charter Section 4.126, the General Manager is responsible for the administration and management of the department; and

WHEREAS, The Real Estate Services Division (RES) of the SFPUC, among other things, administers real property under the SFPUC's jurisdiction (SFPUC Property) having income-producing potential; and

WHEREAS, On March 13, 2012 by Resolution No. 12-0043, this Commission approved the Real Estate Services Guidelines (2012 Guidelines). The 2012 Guidelines established a high-level manual for RES focusing on critical policy objectives governing the use of certain SFPUC Property; and

WHEREAS, Resolution No. 12-0043 contemplated that the Real Estate Director would ask this Commission to amend the 2012 Guidelines from time to time; and

WHEREAS, On March 12, 2013 by Resolution No. 13-0041, this Commission approved revised Real Estate Guidelines (2013 Guidelines); and

WHEREAS, Since 2013, SFPUC policy and procedures have changed to the extent that the 2013 Guidelines no longer reflect current commercially standard rental valuation methods or SFPUC operations, obligations and practices; and

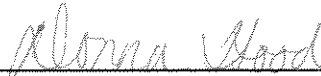
WHEREAS, RES revised the 2013 Guidelines (2015 Guidelines) to reflect (a) changes in SFPUC policy for approval of leases and licenses; (b) updated standard commercial lease and license rental valuation practices; (c) revised City Attorney forms of leases and licenses; and (d) changes designed to allow RES greater efficiency and flexibility in the management of SFPUC property;

WHEREAS, Approval of the proposed Policy and Policy Amendment would not fall within the definition of a "project" under California Environmental Quality Act (CEQA) Guidelines Section 15378 because there would be no direct or indirect physical change in the environment. And, individual applications for revocable license or lease to use SFPUC Right of Way would be subject to environmental review under CEQA prior to issuance of any license or lease in compliance with the proposed Policy and Policy Amendment; now, therefore, be it

RESOLVED, That this Commission hereby approves the 2015 Guidelines dated January 13, 2015 and the City Attorney-approved legal forms of leases and licenses on file with the SFPUC Secretary; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager, the Real Estate Director and the City Director of Property to take any and all other steps they, in consultation with the City Attorney, determine are in the best interest of the City; do not materially increase the obligations or liabilities of the City or materially diminish the benefits to the City; are necessary or advisable to effectuate the purposes and intent of this Resolution; and are in compliance with all applicable laws, including the City Charter.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of January 13, 2015.*



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*Secretary, Public Utilities Commission*