



Request for Transfer of Jurisdiction of Muni Metro East

The San Francisco Municipal Transportation Agency (SFMTA) proposes to request the San Francisco Board of Supervisors transfer jurisdiction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility (MME) from the San Francisco Port Commission (SF Port) to the SFMTA.

Background

The SFMTA is experiencing significant demands on its transportation system as the need to provide safe, reliable and efficient transit service continues to expand in concurrence with a growing population and economic base. As a result the SFMTA and Port entered into a MOU on January 25, 2001, which granted the SFMTA the right to use Port Property, comprised of approximately 17 acres and bounded by 25th, Illinois, Cesar Chavez, and Maryland Streets (comprised of portions of Blocks 4297, 4298, 4299, 4300, 4310, and 4313, in the City and County of San Francisco) to build and operate a light rail vehicle storage, operations and maintenance facility serving the 3rd Street Light Rail/T-Line and for other incidental SFMTA operational needs. The Port Commission approved the MOU by Resolution No. 01-15 on February 27, 2001 and the SFMTA Board approved the MOU by Resolution No. 01-018 on March 6, 2001.

Following approval of the MOU, in 2001 the Port received payment of \$29,700,000 for the perpetual use (subject to satisfaction of conditions in the MOU) and future jurisdictional transfer of the Property to the SFMTA. \$25,700,000 of that payment represented the fair market value purchase price for the Property and an additional \$4,000,000 was provided by the SFMTA to augment the cost to construct the Illinois Street Bridge over Islais Creek. The primary MOU transfer condition involved granting the Port a 7 year window from MOU inception to request that the State Land Commission burden some or all of the Port Property with the State Trust, known as the Burton Act. The Port was unable to obtain such request and is no longer pursuing this action. As a result, the Port and the SFMTA wish to pursue the jurisdictional transfer of the Property and subsequently terminate the MOU.

In that respect, all interdepartmental transfers of City property must be approved by the Board of Supervisors and now that the MOU conditions have been fully satisfied, the SFMTA is finally at the stage to seek such approval and acquire full jurisdiction of the Property. If the Board of Supervisors approves the jurisdictional transfer of the Property to the SFMTA, the City's Director of Property will record a Declaration of Maritime and Industrial Uses to preserve certain Port rights, reservations, restrictions, covenants, conditions, and

Not a "project" pursuant to CEQA as defined in CEQA Guidelines Sections 15060(c) and 15378(b) because the action would not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

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Date

equitable servitudes. Most of the declarations are derived from the soon to be terminated MOU, with a special emphasis on the preservations of rights with respect to adjacent and nearby Port Maritime and Industrial Uses.

