

1 [Jurisdictional Transfer of Property.]

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3 **Resolution authorizing the jurisdictional transfer of City-owned property at 525 Golden**
4 **Gate Avenue to the Public Utilities Commission in consideration of Nine Million Nine**
5 **Hundred Thousand Dollars.**

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7 WHEREAS, The City and County of San Francisco (the "City"), acting through the
8 Director of Property, acquired certain improved real property located at 525 Golden Gate
9 Avenue (the "Real Property") in June 2000 from the State of California (Board Resolution 474-
10 00; File No. 000785); and,

11 WHEREAS, In 2000-2001, the City analyzed the possibility of constructing a new City
12 administrative office building on the Real Property; and the City completed plans, studies,
13 analyses, construction documents, applications, reports, and performed related acts in
14 connection therewith (collectively, the "Plans and Permits"); and,

15 WHEREAS, In Resolution No. 764-01, a copy of which is on file with the Clerk of the
16 Board of Supervisors in File No. 011116, the Board of Supervisors affirmed the Planning
17 Commission's certification of the Final Impact Report for a new City administrative office
18 building to be located at the Property ("FEIR") as adequate and complete pursuant to the
19 California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31
20 of the San Francisco Administrative Code; and,

21 WHEREAS, The Board also adopted findings as required by CEQA in connection with
22 the FEIR and its actions related to approval of the above-mentioned City administrative office
23 building, including a Statement of Overriding Considerations, and adopted a mitigation
24 monitoring and reporting program in Resolution No. 764-01; and,

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1 WHEREAS, On April 11, 2006, The San Francisco Public Utilities Commission (the
2 "PUC") reviewed and considered the FEIR, Resolution No. 764-01 and the supporting
3 documents, including its findings (the "Findings"), mitigation program, and all attachments
4 thereto (collectively, the "CEQA Documents"), and adopted the mitigation measures and
5 reporting program set forth therein, provided that where the Findings indicated that the
6 Department of Building Inspection would be responsible for implementing and monitoring
7 mitigation measures, the PUC assumed that responsibility; and,

8 WHEREAS, The Board of Supervisors, in furtherance of a City administrative office
9 building project at the Real Property, adopted General Plan amendments in Ordinance
10 No. 209-01 and Zoning Map amendments in Ordinance No. 208-01. Copies of said
11 Ordinances are on file with the Clerk of the Board of Supervisors in File Nos. 011115 and
12 011114, respectively. Said Ordinances and their associated findings are hereby incorporated
13 as though fully set forth herein for purposes of this legislation; and,

14 WHEREAS, There is a limited amount of property available in the Civic Center area
15 and the PUC recognizes the long-term advantages of owning, instead of leasing, property in
16 order to provide long-term cost savings and eliminate the exposure to market-rate
17 fluctuations; and,

18 WHEREAS, The PUC has adopted a resolution to accept jurisdiction of the Real
19 Property and the Plans and Permits, together with all studies, reports, analyses, entitlements
20 and all tangible and intangible property rights relating thereto (collectively, the "Property"), and
21 has agreed to transfer Nine Million Nine Hundred Thousand Dollars (\$9,900,000) (the
22 "Purchase Price") to the City's general fund in order to acquire the Property; and,

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****Mayor's Office****

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1 WHEREAS, To pay the Purchase Price, the PUC shall transfer Seven Million Dollars
2 (\$7,000,000) to the City's general fund at the start of fiscal year 2006/07, and Two Million Nine
3 Hundred Thousand Dollars (\$2,900,000) at the start of fiscal year 2007/08; and,

4 WHEREAS, The PUC intends to construct a new City office building on the Real
5 Property consistent with the office building analyzed under the FEIR to consolidate PUC staff
6 into one building owned by the PUC; and,

7 WHEREAS, The Director of Administrative Services, the Director of Property, the PUC
8 General Manager, and the Mayor all recommend and support the jurisdictional transfer of the
9 Property to the PUC; and,

10 WHEREAS, The Department of City Planning adopted and issued a General Plan
11 Consistency Finding, a copy of which is on file with the Clerk of the Board, wherein the City's
12 Planning Department found that the proposed jurisdictional transfer of the Property is
13 consistent with the City's General Plan and with the Eight Priority Policies under Planning
14 Code Section 101.1; now, therefore, be it

15 RESOLVED, That the Board of Supervisors finds, on the basis of substantial evidence,
16 in light of the whole record, that (1) no substantial changes to the City administrative office
17 building and its implementation have occurred that require important revisions to the certified
18 FEIR due to the involvement of new significant environmental effects or a substantial increase
19 in the severity of significant environmental effects discussed in the FEIR; (2) no substantial
20 changes have occurred with respect to the circumstances under which the proposed City
21 office building is to be undertaken that would require major revisions to the certified FEIR; and
22 (3) no new information of substantial importance has become available since the certification
23 of the FEIR that indicates any of the following: (a) the proposed office building will have
24 significant effects not discussed in the FEIR, (b) significant environmental effects will be
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1 substantially more severe than previously discussed in the FEIR, (c) mitigation measures or
2 alternatives previously found not feasible that would reduce one or more significant effects
3 have become feasible, or (d) mitigation measures or alternatives that are considerably
4 different from those in the FEIR would substantially reduce one or more significant effects of
5 the proposed office building on the environment; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered
7 the CEQA Documents and adopts the Findings, including the mitigation monitoring and
8 reporting program, provided that the PUC shall assume the responsibility for implementing
9 and monitoring the mitigation measures as described above; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors adopts the following Statement
11 of Overriding Considerations, as modified from the Findings: Notwithstanding the significant
12 effects noted in the Findings in Exhibit A, pursuant to CEQA Section 21081(b), the CEQA
13 Guidelines and Chapter 31 of the San Francisco Administrative Code, the Board of
14 Supervisors finds, after considering the FEIR, that specific overriding economic, legal, social
15 and other considerations, as set forth below, outweigh the identified significant effects on the
16 environment. In addition, the Board of Supervisors finds that those Project Alternatives and
17 mitigation measures described in the FEIR that have been rejected, are also rejected for the
18 following specific economic, social or other considerations, in and of themselves, in addition to
19 the specific reasons discussed in Article III of the Findings. The benefits of this Project
20 include:

21 (i) Consolidation of many of the PUC's administrative functions in the
22 immediate vicinity of City Hall, allowing for better interaction between those offices, City Hall
23 and the public;

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- 1 (ii) Consistency with the direction in the Civic Center Plan, an Area Plan
2 within the San Francisco General Plan, to encourage governmental activities and functions to
3 locate “within a ‘sphere of influence’ within the Civic Center to avoid inefficient dispersal of
4 these activities throughout the area and in new consolidated facilities rather than being
5 dispersed throughout the adjacent area in leased or rented quarters”;
- 6 (iii) Long-term cost savings to the PUC by accommodating divisions that
7 currently occupy leased space;
- 8 (iv) Good transit access via MUNI surface lines, Golden Gate Transit, and
9 SamTrans (all within a block of the project site), as well as MUNI Metro and BART (five blocks
10 away);
- 11 (v) By removing a vacant, earthquake-damaged building and constructing a
12 new structure, the proposed project will assist in the overall revitalization of the Civic Center
13 Area that includes the construction of the Courthouse, the New Main Library, the new and
14 renovated State Office Building complex, and the Tenderloin Community (elementary) School
15 at Elm Street and Van Ness Avenue; the recently completed renovations of City Hall and the
16 Opera House; conversion of the Old Main Library to the Asian Art Museum, and the
17 renovation of Civic Center Plaza;
- 18 (vi) Construction of a green building will provide a precedent and example for
19 other City and private buildings to be constructed using environmentally sensitive materials
20 and components;
- 21 (vii) State-of-the-art seismic engineering will ensure safety of visitors and
22 employees; and,
- 23 (viii) State-of-the-art heating, ventilating and air conditioning systems will
24 provide comfort for employees and visitors through energy efficient and sustainable design.
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1 Having considered these Project benefits, including the benefits discussed in Article III
2 of the Findings, the Board of Supervisors finds that the benefits of the Project outweigh the
3 unavoidable adverse environmental effects, and that the adverse environmental effects are
4 therefore acceptable; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors finds that the Purchase Price
6 equals or does not exceed the fair market price for the Property, and that the public interest
7 demands or will not be inconvenienced by a jurisdictional transfer of the Property to the PUC;
8 and, be it

9 FURTHER RESOLVED, The Board of Supervisors hereby determines that the Property
10 can be used most advantageously by the PUC and, therefore, transfers jurisdiction of the
11 Property from the Department of Administrative Services to the PUC, in return for the PUC's
12 transfer of funds in the amount of the Purchase Price to the City's general fund as set forth
13 above; and, be it

14 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
15 with respect to the jurisdictional transfer of the Property to the PUC are hereby approved,
16 confirmed and ratified.

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