

1 [Interdepartmental jurisdictional transfer of property.]

2  
3 **Resolution Transferring Jurisdiction From The Public Utilities Commission To The**  
4 **Municipal Transportation Agency The Real Property Identified As A Portion Of**  
5 **Assessor's Parcel No. 5262/9 For A Substation For The San Francisco Municipal**  
6 **Transportation Agency's Third Street Light Rail Project; Adopting Findings Pursuant**  
7 **To The California Environmental Quality Act; And Adopting Findings That The Transfer**  
8 **Of Jurisdiction Is Consistent With The City's General Plan And The Eight Priority**  
9 **Policies Of The Planning Code Section 101.1.**

10  
11 WHEREAS, On December 3, 1998, the Planning Commission, by Motion No. 14742,  
12 certified the Final Environmental Impact Report ("FEIR") for the Municipal Transportation  
13 Agency's Third Street Light Rail Project ("Project"), finding in its independent judgment, that  
14 the FEIR was accurate, adequate and objective and in compliance with the California  
15 Environmental Quality Act ("CEQA"); and,

16 WHEREAS, A component of the Project as described in the FEIR is the construction of  
17 a substation at the Southeast Treatment Plant Facility, Assessor's Parcel No. 5262/9 in San  
18 Francisco, California, which is owned by the City under the jurisdiction of the Public Utilities  
19 Commission; and,

20 WHEREAS, The transfer of jurisdiction of a portion of Parcel No. 5262/9 will facilitate  
21 the construction of the substation at the Southeast Treatment Plant Facility and is an action in  
22 furtherance of the Project; and,

23 WHEREAS, On October 10, 2000, the Public Utilities Commission adopted Resolution  
24 No. 00-0236, a copy of which is on file with the Clerk of the Board of Supervisors in File  
25 No. 020773, which is hereby declared to be a part of this resolution as if set forth

1 fully herein, requesting that a portion of Parcel No. 5262/9 comprising 3,464 square feet, as  
2 shown outlined on the map labeled Exhibit A, a copy of which is on file with the Clerk of the  
3 Board of Supervisors in File No. 020773, which is hereby declared to be a part of  
4 this resolution as if set forth fully herein, (collectively, the subject property) be transferred to  
5 the Municipal Transportation Agency at historical cost of \$1,975 to be used as the substation  
6 site; and,

7 WHEREAS, On June 20, 2000, and February 19, 2002, the Municipal Transportation  
8 Agency adopted Resolution Nos. 00-071 and 02-012, respectively, authorizing the  
9 jurisdictional transfer and accepting responsibility for any hazardous material on the subject  
10 property, copies of which are on file with the Clerk of the Board of Supervisors in File  
11 No. 020773, which are hereby declared to be a part of this resolution as if set forth  
12 fully herein; and,

13 WHEREAS, in accordance with the provisions of Section 23.1<sup>12</sup> of the San Francisco  
14 Administrative Code, the Director of Property has reported to the Mayor that the historical cost  
15 of the subject property is \$1,975, and in his opinion the subject property can be most  
16 advantageously used by the Municipal Transportation Agency, and has therefore  
17 recommended that the transfer be made at the historical cost of \$1,975; and,

18 WHEREAS, the Mayor recommends the proposed transfer of the subject property; and,

19 WHEREAS, the Board of Supervisors, by Resolution 760-00, in approving parking and  
20 traffic changes along the Third Street Corridor in furtherance of the Project, adopted findings  
21 with respect to the FEIR as required by CEQA, all as more particularly set forth in such  
22 resolution; and,

23 WHEREAS, For purposes of compliance with CEQA, the approval by the Board of  
24 Supervisors of the transfer of jurisdiction of a portion of Parcel No. 5262/9 for construction of  
25 the substation is part of the Project for which the Board of Supervisors by Resolution

1 No. 760-00, has adopted findings with respect to the FEIR as required by CEQA, which  
2 findings are on file with the Clerk of the Board of Supervisors under File No. 001347, and  
3 which findings, are incorporated herein by this reference; and,

4 WHEREAS, This Board of Supervisors has reviewed and considered the information  
5 contained in the FEIR and the other information on file with the Clerk of the Board in File  
6 No. 001347; and,

7 WHEREAS, The Department Of City Planning has reported in a letter dated September  
8 7, 1999, that the proposed transfer of the subject property and the proposed construction of  
9 the substation is in conformity with the City's General Plan and consistent with the Eight  
10 Priority Policies of Planning Code Section 101.1; now, therefore, be it

11 RESOLVED, That the Board of Supervisors hereby adopts and incorporates the  
12 environmental findings under CEQA contained in Resolution No. 760-00 by reference as  
13 though such findings were fully set forth in this resolution; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors adopts as conditions of  
15 approval and will implement those mitigation measures described in the findings that fall  
16 within the jurisdiction of the Board, endorses the implementation of the mitigation measures  
17 identified for implementation by other City Departments, and recommends for adoption those  
18 mitigation measures that are enforceable by agencies other than City agencies, all as set forth  
19 in the findings, including the mitigation monitoring and reporting program contained therein;  
20 and, be it

21 FURTHER RESOLVED, That, based upon the Board of Supervisors' review of the  
22 FEIR, the Board of Supervisors further finds that (1) no substantial changes have occurred in  
23 the Project and approval of the transfer of jurisdiction of a portion of Parcel No. 5262/9 under  
24 this resolution that will require revisions to the FEIR due to the involvement of new significant  
25 environmental effects or a substantial increase in the severity of previously identified

1 significant effects; (2) no substantial changes have occurred with respect to the circumstances  
2 under which the Project or the approval of the transfer of jurisdiction of a portion of Parcel No.  
3 5262/9 under this resolution are undertaken which will require major revisions to the FEIR  
4 due to the involvement of new environmental effects or a substantial increase in the severity  
5 of effects identified in the FEIR; and (3) no new information of substantial importance to the  
6 Project or the approval of the transfer of jurisdiction of a portion of Parcel No. 5262/9 has  
7 become available which indicates that (a) the Project will have significant effects not  
8 discussed in the FEIR, (b) significant environmental effects will be substantially more severe;  
9 (c) mitigation measures or alternatives found not feasible which would reduce one or more  
10 significant effects have become feasible; or (d) mitigation measures or alternatives which are  
11 considerably different from those in the FEIR would substantially reduce one or more  
12 significant effects on the environment; and, be it


13 FURTHER RESOLVED, That this Board finds that the transfer of jurisdiction of the  
14 subject property to the Municipal Transportation Agency is consistent with the General Plan  
15 and the Eight Priority Policies of Planning Code Section 101.1 for the same reasons as those  
16 set forth in the Director of Planning's letter referred to above, and hereby incorporates such  
17 findings by reference as though fully set forth in this resolution; and, be it

18 FURTHER RESOLVED, That pursuant to San Francisco Administrative Code Section  
19 23.13, this Board hereby determines that the subject property is surplus to the Public Utilities  
20 Commission and that it can be used most advantageously by the Municipal Transportation  
21 Agency; and, be it

22 FURTHER RESOLVED, That, accordingly and in accordance with the  
23 recommendations of the Director of Property, the Mayor, the Manager, Muni Real Estate and  
24 the Manager, PUC Real Property and the approvals of the Municipal Transportation Agency's  
25 Board of Directors and the Public Utilities Commission, jurisdiction of the subject property is

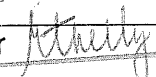
1 hereby transferred to the Municipal Transportation Agency upon payment of \$1,975 to the  
2 Public Utilities Commission subject to the requirement that the Municipal Transportation  
3 Agency shall be responsible for all costs related to the investigation, assessment, disposal,  
4 remediation, and monitoring of hazardous materials to the extent related to the construction,  
5 operation and maintenance of the Project or any other Municipal Transportation Agency  
6 activity on the entire property being transferred, and that the Public Utilities Commission shall  
7 be responsible for the costs of investigation, assessment, disposal, remediation, and  
8 monitoring of hazardous materials related to all other hazardous materials on the property  
9 remaining under its jurisdiction, including any pre-existing hazardous materials condition.

10 RECOMMENDED:

11   
12 \_\_\_\_\_  
13 Manager, Real Property  
14 Public Utilities Commission


\$1,975 Available  
Appropriation No. CPT 522.Z  
CONTROLLER 357 623

MAY 01 2002

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Controller   
BY: \_\_\_\_\_

  
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17 Manager, Muni Real Estate  
18 Municipal Transportation Agency

  
19 \_\_\_\_\_  
20 Director of Property

  
21 \_\_\_\_\_  
22 Mayor



# City and County of San Francisco

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

## Tails Resolution

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**File Number:** 020773

**Date Passed:**

Resolution transferring jurisdiction from the Public Utilities Commission to the Municipal Transportation Agency the real property identified as a portion of Assessor's Parcel No. 5262/9 for a substation for the San Francisco Municipal Transportation Agency's Third Street Light Rail Project; Adopting findings pursuant to the California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of the Planning Code Section 101.1.

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June 3, 2002 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,  
Newsom, Peskin, Sandoval, Yee

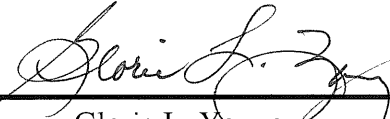
File No. 020773

I hereby certify that the foregoing Resolution was ADOPTED on June 3, 2002 by the Board of Supervisors of the City and County of San Francisco.

JUN 14 2002

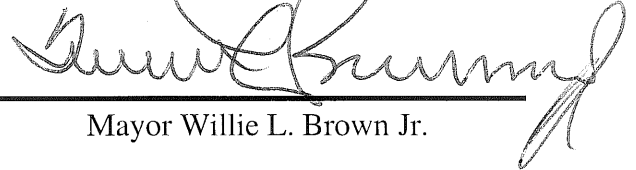
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Date Approved



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Gloria L. Young  
Clerk of the Board



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Mayor Willie L. Brown Jr.