

1 [Interdepartmental jurisdictional transfer of property near Islais Creek.]

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3 **Resolution transferring jurisdiction of the real property identified as portions of**  
4 **Assessor’s Parcel Nos. 4352/001 and 4382/005 from the Public Utilities Commission to**  
5 **the Municipal Transportation Agency as part of the new Islais Creek Motor Coach**  
6 **Operations and Maintenance Facility; adopting findings pursuant to the California**  
7 **Environmental Quality Act; and adopting findings that the transfer of jurisdiction is**  
8 **consistent with the City’s General Plan and the Eight Priority Policies of Planning Code**  
9 **Section 101.1.**

10 WHEREAS, Pursuant to the environmental review under the California Environmental  
11 Quality Act (“CEQA”) for the Municipal Transportation Agency’s Islais Creek Motor Coach  
12 Operations and Maintenance Facility (the “Project”), the Planning Commission adopted and  
13 issued a final Negative Declaration on June 20, 1989 (the “Negative Declaration”), and  
14 subsequently concluded in a Planning Department Memorandum dated September 14, 1998,  
15 (the “Subsequent Memorandum”), that the Project would have no significant effect on the  
16 environment, copies of which are on file with the Clerk of the Board of Supervisors in File No.  
17 \_\_\_\_\_, and are hereby declared to be a part of this resolution as if fully set forth herein; and,

18 WHEREAS, Portions of Assessor’s Parcels Nos. 4352/001 and 4382/005 (the “subject  
19 property”) are currently under the jurisdiction of the Public Utilities Commission but the  
20 Municipal Transportation Agency needs to use the subject property for parking and storage for  
21 the Project , as described in the Negative Declaration and Subsequent Memorandum; and,

22 WHEREAS, The transfer of jurisdiction of the subject property will facilitate the  
23 construction of the Project; and,

24 WHEREAS, On March 24, 1998 the Public Utilities Commission adopted Resolution  
25 98-0046, a copy of which is on file with the Clerk of the Board of Supervisors in File No.

1 \_\_\_\_\_, which is hereby declared to be a part of this resolution as if set forth fully herein,  
2 requesting that the subject property comprising .34 acres, be transferred to the Municipal  
3 Transportation Agency at the historical cost of \$195,280 for use as parking and storage for the  
4 Project and authorizing the Director of Property to submit legislation to accommodate the  
5 jurisdictional transfer of the subject property; and,

6 WHEREAS, On January 4, 2005, the Municipal Transportation Agency adopted  
7 Resolution No. 05-006 authorizing the jurisdictional transfer of the subject property, a copy of  
8 which is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, which is hereby  
9 declared to be a part of this resolution as if set forth fully herein; and,

10 WHEREAS, On March 1, 2005, the Municipal Transportation Agency and Public  
11 Utilities Commission entered into a Memorandum of Understanding (the "MOU") regarding the  
12 Public Utilities Commission's continued access to the subject property after the jurisdictional  
13 transfer to operate and maintain a sewer and related improvements and to ensure the  
14 Municipal Transportation Agency's use of the subject property will be in a manner that  
15 protects such sewer and related improvements, a copy of such MOU is on file with the Clerk  
16 of the Board of Supervisors in File No. \_\_\_\_\_, which is hereby declared to be a part of this  
17 resolution as if set forth fully herein; and,

18 WHEREAS, In accordance with the provisions of Section 23.12 of the San Francisco  
19 Administrative Code, the Director of Property has reported to the Mayor that the historical cost  
20 of the subject property is \$195,280, and in his opinion the subject property can be most  
21 advantageously used by the Municipal Transportation Agency and has therefore  
22 recommended that the transfer be made at the historical cost of \$195,280; and,

23 WHEREAS, The Mayor recommends the proposed transfer of the subject property;  
24 and,

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\*\*Real Estate Division\*\*

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1           WHEREAS, The Department of City Planning reported in a letter dated May 31, 2005,  
2 that the proposed transfer of the subject property for parking and storage use as a component  
3 of the Project is in conformity with the City's General Plan and consistent with the Eight  
4 Priority Policies of Planning Code Section 101.1; now, therefore, be it

5           RESOLVED, That the Board of Supervisors hereby adopts and incorporates the  
6 Negative Declaration findings pursuant to CEQA as though such findings were fully set forth in  
7 this resolution; and be it

8           FURTHER RESOLVED, That the Board of Supervisors adopts as conditions of  
9 approval those mitigation measures described in the Negative Declaration; and be it

10          FURTHER RESOLVED, That based upon the Board of Supervisors' review of the  
11 Negative Declaration and the Subsequent Memorandum, the Board of Supervisors further  
12 finds that (1) no substantial changes have occurred in the Project or transfer of jurisdiction of  
13 the subject property under this resolution that will require revisions to the Negative Declaration  
14 due to the involvement of new significant environmental effects; (2) no substantial changes  
15 have occurred with respect to the circumstances under which the Project or the approval of  
16 the transfer of jurisdiction of the subject property under this resolution are undertaken which  
17 will require major revisions to the Negative Declaration as to the involvement of new  
18 environmental effects; and (3) no new information of substantial importance to the Project or  
19 the approval of the transfer of jurisdiction of the subject property has become available which  
20 indicates that (a) the Project will have significant effects not discussed in the Negative  
21 Declaration, (b) significant environmental effects will be substantially more severe, (c)  
22 mitigation measures or alternatives found not feasible which would reduce one or more  
23 significant effects have become feasible, or (d) mitigation measures or alternatives which are  
24 considerably different from those in the Negative Declaration would substantially reduce one  
25 of more significant effects on the environment; and be it

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

6           FURTHER RESOLVED, That pursuant to San Francisco Administrative Code Section  
7 23.16, the Board of Supervisors hereby determines that the subject property can be most  
8 advantageously used by the Municipal Transportation Agency; and be it

9           FURTHER RESOLVED, That accordingly and in accordance with the  
10 recommendations of the Director of Property, the Mayor, the Muni Real Estate Manager and  
11 the PUC Real Property Manager, and the approvals of the Municipal Transportation Agency's  
12 Board of Directors and the Public Utilities Commission, jurisdiction of the subject property is  
13 hereby transferred to the Municipal Transportation Agency upon payment of \$195,280 to the  
14 Public Utilities Commission subject to the requirement that the Municipal Transportation  
15 Agency shall be responsible for all costs related to the construction, operation and  
16 maintenance of the Project or any other Municipal Transportation Agency activity on the  
17 subject property as set forth in the MOU.

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19 RECOMMENDED:

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\_\_\_\_\_  
Manager, Real Property  
Public Utilities Commission

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Manager, Muni Real Estate  
Municipal Transportation Agency

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Director of Property  
Real Estate Division

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Mayor

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\*\*Real Estate Division\*\*

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