

1 [Appropriation - Water Enterprise Fund Balance for the Cleanup of Contaminated Soil at Lake
2 Merced - \$9,500,000 - FY2014-2015]

3 **Ordinance appropriating \$9,500,000 from Water Enterprise fund balance in the Public**
4 **Utilities Commission Water Enterprise Department budget to support the project to**
5 **cleanup contaminated soil at Lake Merced in FY2014-2015; and adopting findings**
6 **under the California Environmental Quality Act regarding a Final Mitigated Negative**
7 **Declaration, adopting a Mitigation Monitoring and Reporting Program, and making**
8 **findings of consistency with the eight priority policies of Planning Code, Section 101.1.**

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10 Note: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

17 Be it ordained by the People of the City and County of San Francisco:

18 Section 1. Findings. The Board of Supervisors makes the following findings:

19 A. San Francisco Public Utilities Commission ("SFPUC") approved a project to clean up
20 contaminated soil on SFPUC property leased to the Pacific Rod and Gun Club (PRGC) at
21 Lake Merced in San Francisco, in response to Cleanup Order R2-2013-0023 issued by the
22 California Regional Water Quality Control Board, known as Project No. CUW 28101, Pacific
23 Rod and Gun Club Upland Soil Remedial Action Project ("Project").

24 B. The Planning Department prepared a Preliminary Negative Declaration ("PMND"),
25 published July 25, 2014. On October 23, 2014, the San Francisco Planning Commission,
reviewed and considered the PMND on appeal, and found that the contents of said report and

1 the procedures through which the PMND was prepared, publicized, and reviewed complied
2 with the California Environmental Quality Act (California Public Resources Code Sections
3 21000 et seq.) (“CEQA”), 14 California Code of Regulations Sections 15000 et seq. (the
4 “CEQA Guidelines”) and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”),
5 and directed the Planning Department to issue a Final Mitigated Negative Declaration (“Final
6 MND”).

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8 C. The Planning Department, is the custodian of records, located in File No. 2013.1220E, at
9 1650 Mission Street, Fourth Floor, San Francisco, California.

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11 D. The SFPUC, on October 28, 2014, adopted Resolution No. 14-0171, in which the SFPUC
12 adopted CEQA findings, adopted the Final MND, adopted the Mitigation Monitoring and
13 Reporting Program (“MMRP”), and approved the Project, and the SFPUC Resolution and
14 MMRP, are incorporated herein as part of this Ordinance by this reference thereto. No appeal
15 was filed with this Board of the Final MND.

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17 E. The Final MND and MMRP were made available to the public and this Board for this
18 Board’s review, consideration and action. The Board has reviewed the Final MND concurs
19 with the SFPUC’s adoption of the Final MND and adopts the MMRP, and incorporates by
20 reference as though fully set forth herein the findings set forth in SFPUC Resolution 14-0171,
21 copies of which are on file with the Board of Supervisors in File No. 141296.

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23 F. The Board makes and adopts the findings required pursuant to Planning Code Section
24 101.1 (b) concerning the consistency of this legislation with the eight priority planning policies,
25 which findings are on file with the Board of Supervisors in File No. 141296 and incorporated

1 herein by this reference, concluding that on balance the Project does comply with said
2 policies.

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4 Section 2. The uses of funding outlined below are herein appropriated and reflect the
5 funding available for Fiscal Year 2014-2015.

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8 **Sources Appropriation**

9	Fund	Index Code /	Subobject	Description	Amount
10		Project Code			
11	5WAAAAAA	*WTR5WAAAAAA	9999B	Water Enterprise	\$9,500,000
12	Water Enterprise - Non			Revenue – Fund	
13	Project Controlled			Balance	
14					
15	Total SOURCES Appropriation				\$9,500,000

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17 Section 3. The uses of funding outlined below are herein appropriated in Subobject
18 06700 (Buildings Structures and Improvements), and reflect the projected uses of funding to
19 support the cost for cleanup of contaminated soil in Lake Merced, which is the result of the
20 former use of lead shot and clay targets made with asphaltic material at skeet and trap
21 shooting ranges operated by the Pacific Rod and Gun Club, for Fiscal Year 2014-2015.
22 These funds will be placed on Budget and Finance Committee reserve pending the receipt of
23 the bids and the selection of the contractor to complete the work related to the soil cleanup.

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1 **USES Appropriation**

2	Fund	Index Code /	Subobject	Description	Amount
3		Project Code			
4	5W AAA ACP – Water	WTRX5WAAAACP	06700	Pacific Rod & Gun	\$9,500,000
5	Continuing Capital Project	CUW281		Club Remediation	
6	Fund				
7	Total USES Re-Appropriation				<u>\$9,500,000</u>

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9 Section 4: The Controller is authorized to record transfers between funds and adjust

10 the accounting treatment of sources and uses appropriated in this ordinance as necessary to

11 conform to Generally Accepted Accounting Principles.

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14 APPROVED AS TO FORM: FUNDS AVAILABLE

15 DENNIS J. HERRERA, City Attorney BEN ROSENFELD, Controller

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17 By: _____ By: _____

18 Noreen Ambrose Ben Rosenfield

19 Deputy City Attorney Controller

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