

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Tom Maguire, Interim Executive Director, San Francisco Municipal
Transportation Agency
Virginia Donohue, Director, Animal Care and Control
Jonas Ionin, Director of Commission Affairs, Planning Commission

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: September 25, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by the Real Estate Department on September 17, 2019:

File No. 190919

Resolution approving the jurisdictional transfer of 1419 Bryant Street, a portion of Assessor's Parcel Block No. 3904, Lot No. 002, consisting of approximately 48,000 square feet, currently under the jurisdiction of the Municipal Transportation Agency (MTA) to the Real Estate Division on behalf of Animal Care and Control (ACC), and 1200-15th Street, Assessor's Parcel Block No. 3925, Lot No. 002, consisting of 15,260 square feet improved with an office building of approximately 29,116 rentable square feet, commonly known as the City's Animal Shelter, currently under the jurisdiction of the ACC to the MTA, subject to the terms and conditions of a Memorandum of Understanding between MTA and ACC; approving the transfer price of \$0; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing other actions in furtherance of this Resolution, as defined herein.

If you have comments or reports to be included with the files, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

- c: Kate Breen, San Francisco Municipal Transportation Agency
- Janet Martinsen, San Francisco Municipal Transportation Agency
- Joel Ramos, San Francisco Municipal Transportation Agency
- Dan Sider, Planning Commission
- Aaron Starr, Planning Commission
- AnMarie Rodgers, Planning Commission
- Scott Sanchez, Planning Commission
- Corey Teague, Planning Commission
- Lisa Gibson, Planning Commission
- Devyani Jain, Planning Commission
- Joy Navarrete, Planning Commission
- Laura Lynch, Planning Commission

1 [Jurisdictional Transfer and Exchange of City Property - Municipal Transportation Agency -
2 Real Estate Division - 1419 Bryant Street - 1200-15th Street - \$0]

3 **Resolution approving the jurisdictional transfer of 1419 Bryant Street, a portion of**
4 **Assessor's Parcel Block No. 3904, Lot No. 002, consisting of approximately 48,000**
5 **square feet, currently under the jurisdiction of the Municipal Transportation Agency**
6 **(MTA) to the Real Estate Division on behalf of Animal Care and Control (ACC), and**
7 **1200-15th Street, Assessor's Parcel Block No. 3925, Lot No. 002, consisting of 15,260**
8 **square feet improved with an office building of approximately 29,116 rentable square**
9 **feet, commonly known as the City's Animal Shelter, currently under the jurisdiction of**
10 **the ACC to the MTA, subject to the terms and conditions of a Memorandum of**
11 **Understanding between MTA and ACC; approving the transfer price of \$0; adopting**
12 **environmental findings and other findings that the actions set forth in this Resolution**
13 **are consistent with the General Plan, and the eight priority policies of Planning Code,**
14 **Section 101.1; and authorizing other actions in furtherance of this Resolution, as**
15 **defined herein.**

16
17 WHEREAS, The City and County of San Francisco owns certain real property located
18 at 1419 Bryant Street, in San Francisco, California, and known as a portion of Assessor's
19 Parcel Block No. 3904, Lot No. 002 (Bryant St. Property); and

20 WHEREAS, The Municipal Transportation Agency (MTA) has jurisdiction over the
21 Bryant St. Property which is improved with an historical brick building (approximately 33,400
22 rentable square feet) that was used by the MTA's Overhead Lines Division, and is comprised
23 of approximately 40,900 square feet of the total 48,000 square foot parcel, as depicted on an
24 Assessor's Block Map, shown on an GIS Aerial Image and Site Plan (collectively Exhibit A to
25

1 the Memorandum of Understanding (MOU)) on file with the Clerk of the Board of Supervisors
2 in File No. and incorporated herein by reference; and

3 WHEREAS, The City and County of San Francisco owns certain real property located
4 at 120015th Street, Assessor's Parcel Block No. 3925, Lot No. 002 (15th St. Property); and

5 WHEREAS, The 15th St. Property is currently under the jurisdiction of the Animal Care
6 and Control (ACC) and improved with an approximately 29,116 square feet building, used for
7 an animal shelter by ACC, and is an approximately 15,260 square feet parcel as depicted on
8 an Assessor's Block Map, shown on an GIS Aerial Image and Site Plan (collectively Exhibit B
9 to the MOU); and

10 WHEREAS, The 15th St. Property is adjacent to the MTA's Scott Maintenance Facility;
11 and

12 WHEREAS, The 15th St. Property is no longer adequate for ACC's uses; and

13 WHEREAS, The SFMTA desires to acquire jurisdiction over the 15th St. Property to
14 expand its maintenance facility area in exchange for the Bryant St. Property subject to the
15 terms and conditions set forth in a MOU between MTA and ACC; and

16 WHEREAS, Real Estate Division (RED) desires to acquire jurisdiction over, and ACC
17 desires to occupy and use, the Bryant St. Property to expand its animal shelter space in
18 exchange for the 15th St. Property subject to the terms and conditions set forth in the MOU;
19 and

20 WHEREAS, On September 12, 2018, in a General Plan Referral, the Planning
21 Department determined that on January 1, 2016, the jurisdictional transfer of the 15th St.
22 Property from ACC to the MTA and the Bryant St. Property from the MTA to ACC was
23 determined to be consistent with the Eastern Neighborhoods Area Plan Environmental Impact
24 Report, certified by the San Francisco Planning Commission on August 7, 2008, by Motion
25

1 No. 176661, and exempt from the California Environmental Quality Act Public Resources
2 Code, Section 21000 *et seq.* (CEQA), pursuant to CEQA Guidelines, Section 15183; and

3 WHEREAS, In accordance with the provisions of Section 23.14 of the
4 Administrative Code, the Director of Property has determined and reported to the Mayor that
5 the appraised fair market value of the 15th St. Property is approximately the same as the
6 appraised fair market value of the Bryant St. Property, and in his opinion, the appraisals
7 demonstrate that the fair market value of the two properties proposed for exchange are
8 reasonably equivalent and the Bryant St. Property can be used more advantageously by the
9 ACC and the 15th St. Property can be used more advantageously by the MTA or for another
10 City use; and

11 WHEREAS, In order to implement the jurisdictional transfer, the MTA and ACC
12 entered into an MOU, a copy of which is on file with the Clerk of the Board of Supervisors in
13 File No. and incorporated herein by reference; and

14 WHEREAS, In a General Plan Referral dated September 18, 2018, the Planning
15 Department found that the jurisdictional transfer and exchange of the 15th St. Property from
16 ACC and to the MTA and the Bryant St. Property from the MTA to ACC is exempt from
17 environmental review per CEQA Guidelines and consistent with the General Plan, and with
18 Planning Code, Section 101.1.; a copy of the General Plan Referral is on file with the Clerk of
19 the Board of Supervisors in File No. and is incorporated herein by reference; the Board of
20 Supervisors finds that the actions contemplated in this Resolution are consistent with the
21 General Plan, and with Planning Code, Section 101.1, for the reasons set forth in said letter;
22 now, therefore, be it

23 RESOLVED, That in accordance with the recommendation of the Director of Animal
24 Care and Control, the Director of Transportation of the MTA, and the Director of Property, the
25 Board of Supervisors hereby declares that the public interest or necessity will not be

1 inconvenienced by the jurisdictional transfer and exchange of the 15th St. Property and the
2 Bryant St. Property; and, be it

3 FURTHER RESOLVED, That the jurisdictional transfer and exchange of the 15th St.
4 Property and the Bryant St. Property for zero dollars furthers a proper public purpose; and, be
5 it

6 FURTHER RESOLVED, That the Board of Supervisors finds that the actions
7 contemplated in this Resolution are consistent with the General Plan, and with Planning Code,
8 Section 101.1, for the reasons set forth in the letter from the Planning Department to the
9 Director of Property referenced above; and, be it

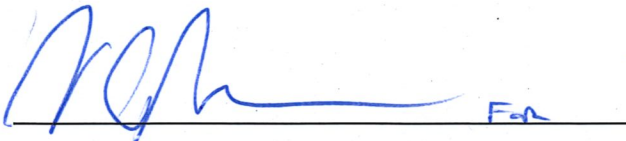
10 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes and directs
11 the Director of Property to transfer jurisdiction of the 15th St. Property and the Bryant St.
12 Property in accordance with the terms and conditions of the MOU and that said transfer of
13 jurisdiction be effective upon the Board of Supervisors' and Mayor approval; and, be it

14 FURTHER RESOLVED, That the jurisdictional transfer and exchange contemplated
15 herein is not subject to Chapter 23A of the Administrative Code, the Surplus Property
16 Ordinance, because the 15th St. Property and Bryant St. Property are not "surplus property"
17 as defined in Section 23A.4; and, be it

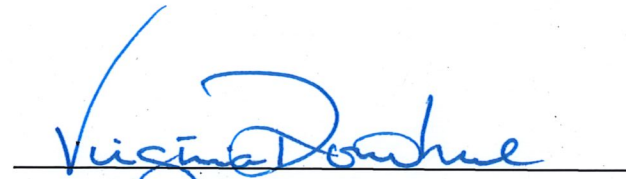
18 FURTHER RESOLVED, That the Mayor, the Clerk of the Board of Supervisors, the
19 Director of Property, the Director of Animal Care and Control and the Director of
20 Transportation are each authorized and directed to enter into any and all documents and take
21 any and all actions which such party, in consultation with the City Attorney, determines are in
22 the best interest of the City, are necessary or advisable to consummate the performance of
23 the purposes and intent of this Resolution, and comply with all applicable laws, including the
24 City's Charter, and including but not limited to the MOU and any modifications or amendments
25 thereto.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

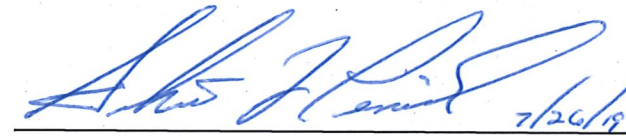
RECOMMENDED:



Edward Reiskin, Director of Transportation
San Francisco Municipal Transportation Agency



Virginia Donohue, Director
Animal Care and Control



Andrico Q. Penick, Director of Property