

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 220405-029

WHEREAS, SFMTA has jurisdiction over 11 operator restrooms (Operator Restrooms), used by transit operators and staff, in the City and County of San Francisco that SFMTA built and maintains; and

WHEREAS, SFMTA and San Francisco Public Works (SFPW) executed a Memorandum of Understanding in March 2021, granting SFPW field staff access to the Operator Restrooms for a 60-day pilot program; and

WHEREAS, SFPW has jurisdiction over public right of way (ROW) comprising 5,645 square feet on a portion of Michigan Street located immediately north of Cesar Chavez Street, adjacent to the Muni Metro East rail yard (Michigan Street ROW); and

WHEREAS, SFPW intends to vacate the Michigan Street ROW, a paper street, and transfer jurisdiction to the SFMTA; and

WHEREAS, The jurisdictional transfer requires the SFMTA to pay the fair market value for such transfer, under City Administrative Code Chapter 23. Pursuant to third party independent appraisal via the City Real Estate Division (RED), the appraised fair market value of the Michigan Street ROW is \$1.25 million. SFMTA's maintenance cost of the Operator Restrooms for eight (8) years is estimated to be equal to \$1.25 million, equivalent to a 0.8 FTE, 2708 Custodian, during the 8-year term; and

WHEREAS, SFMTA and SFPW agree to amortize the \$1.25 million fair market value of the Michigan Street ROW with SFMTA granting SFPW field staff co-use of the Operator Restrooms for the term, beginning July 1, 2021; and

WHEREAS, The Michigan Street ROW street vacation via ordinance and the jurisdictional transfer require Board of Supervisors approval since the City and County of San Francisco owns the property, and it is public right of way under San Francisco Public Works' jurisdiction; and

WHEREAS, SFMTA and SFPW negotiated a Memorandum of Understanding for the: 1) jurisdictional transfer of the Michigan Street ROW to the SFMTA, and, in exchange, 2) SFMTA will grant SFPW field staff access to the Operator Restrooms for a period of eight years, effective July 1, 2021.

WHEREAS, On March 4, 2022, the SFMTA, under authority delegated by the Planning Department, determined that the is Memorandum of Understanding not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and

WHEREAS, a copy of the CEQA determination is on file with the Secretary to the San Francisco Municipal Transportation Agency Board of Directors, and is incorporated herein by reference; and,

RESOLVED, The SFMTA Board of Directors approves the terms and conditions of the Memorandum of Understanding between SFMTA and SFPW for the: 1) jurisdictional transfer of the Michigan Street ROW property to the SFMTA, and, in exchange, 2) SFMTA granting SFPW field staff access to the Operator Restrooms for a period of eight years, effective July 1, 2021.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting April 2022.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency