

**HEALTH COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 16-12**

**MAKING CEQA FINDINGS AND APPROVING A GROUND LEASE AND LEASE DISPOSITION
AND DEVELOPMENT AGREEMENT BETWEEN THE CITY & COUNTY OF SAN FRANCISCO
AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA FOR PURPOSES OF BUILDING A
NEW RESEARCH FACILITY AT THE ZSFG CAMPUS & TRAUMA CENTER**

WHEREAS, the Priscilla and Mark Zuckerberg San Francisco General Hospital and Trauma Center (“ZSFG”), is one of the nation’s leading public hospitals and has continuously provided a wide range of ambulatory, emergency, acute care and trauma services to San Francisco residents for more than one hundred years; and

WHEREAS, The ZSFG campus is under the jurisdiction of City’s Department of Public Health (“DPH”); and

WHEREAS, DPH and The Regents of the University of California, (“the Regents or “UCSF”) have a long standing affiliation through which UCSF provides physicians and other professional services at ZSFG; and

WHEREAS, through the ZSFG – UCSF partnership, physicians who are leaders in their fields have been attracted to ZSFG and have established ZSFG as one of the nation’s leading academic medical centers with a top training program for residents and medical students; and

WHEREAS, ZSFG is home to more than 20 UCSF research centers and major laboratories, and over 150 principal UCSF investigators conduct research at the SFGH campus; and

WHEREAS, the co-location of patient care, teaching and research activities is critical to the ability to recruit and retain the physician leaders who treat patients at SFGH; and

WHEREAS, in February 2013, the Mayor and City Administrator established a working task force co-chaired by the San Francisco Public Health Director and the UCSF Chancellor to explore the proposal that UCSF construct a modern academic research building at ZSFG on what is currently the B/C surface parking lot (the “Research Facility”), which would allow UCSF to consolidate existing ZSFG campus research centers and laboratories; and

WHEREAS, since February 2013, staff from the City (DPH, Real Estate Department, Planning Department and City Attorney’s Office) and staff from the Regents have negotiated a number of agreements with respect to the proposed new Research Facility, including a non-binding Term Sheet which the Health Commission endorsed, by Resolution 15-7, on May 5, 2015; and

WHEREAS, on July 21, 2015 the Board of Supervisors adopted Board Resolution 289-15, endorsing the non-Binding Term Sheet and directed staff to continue negotiations consistent with the Term Sheet, and provided that if parties are successful, the Director of Public Health and Director of Property shall seek Health Commission and Board approval of the Ground Lease & Lease Disposition and Development Agreement; and

WHEREAS, on October 26, 2016, the Director of Public Health with staff, together with the Director of Property and the City's Attorney's Office, reached agreement on the Ground Lease and Lease Disposition & Development Agreement; and

WHEREAS, on November 16, 2016, the Regents as lead agency under the California Environmental Quality Act ("CEQA"), California Public Resources Code Sections 21000 et seq. and the California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines"), certified the Research Building at ZSFG and the City Parking Garage Expansion Final Environmental Impact Report ("Final EIR"), and adopted CEQA Findings in connection with the approval of the Ground Lease and Lease Disposition & Development Agreement for the new Research Facility, including the adoption of mitigation measures, a mitigation monitoring and reporting program, and a statement of overriding considerations related to significant and unavoidable transportation impacts; and

WHEREAS, on November 16, 2016, the Regents approved the Ground Lease and Lease Disposition & Development Agreement, and granted authority to enter into both agreements; the approval of Regents, including its CEQA findings, are on file with the Secretary to this Commission and incorporated in this resolution by this reference; and

WHEREAS, the City is a responsible agency as defined by CEQA Guidelines Section 15381 and DPH through the Planning Department has complied with the requirements for a responsible agency as set forth in CEQA Guidelines Section 15096; and

WHEREAS, the Final EIR has been made available for review by the City and the public and is on file with Diane Wong, Principal Planner/Environmental Coordinator, UCSF Campus Planning, 654 Minnesota Street, San Francisco, California 94143-0286, as the custodian of records. Copies of the Final EIR are also available for review at the San Francisco Public Library (Main Library, Mission branch, Potrero Hill branch, Bernal Heights branch, and Mission Bay branch); and

WHEREAS, DPH has prepared findings in accordance with CEQA, the CEQA Guidelines, and San Francisco Administrative Code Chapter 31 ("Chapter 31"), for consideration by the Health Commission with respect to approval of the Research Facility (the "DPH CEQA Findings"), which findings are found in Attachment 1 to this Resolution, on file with the Secretary to the Commission, including a statement of overriding considerations and Exhibit A, the Mitigation Monitoring and Reporting Program for the Research Building at ZSFG and the City Parking Garage Expansion;

NOW, THEREFORE, BE IT RESOLVED, That the Health Commission has reviewed and considered the Final EIR and the record as a whole, finds that the Final EIR adequate for its use as the decision-making body for the approval of the Research Facility and hereby adopts and incorporates into this resolution by this reference the CEQA Findings in Attachment 1, including Exhibit A, on file with the Secretary to the Commission; and, be it

FURTHER RESOLVED, That the Health Commission finds that the approval of the Research Facility is within the scope of the project analyzed in the Final EIR; and be it

FURTHER RESOLVED, That the Health Commission finds that since the Regents certified the Final EIR, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the Final EIR due to the involvement of the new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR; and be it

FURTHER RESOLVED, That the Health Commission has not identified any feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant impact the project would have on the environmental; and be it

FURTHER RESOLVED, That the Health Commission hereby adopts the following mitigation measures and attached mitigation monitoring and reporting program as these measures pertains to DPH implementation of these measures: Mitigation Measure TR-1: Restripe 24th Street at Potrero Avenue to Provide a Westbound Left-Turn Pocket; Mitigation Measure TR-2: Open 23rd Street exit of 23rd Street Garage during the PM Peak Period; and Mitigation Measure TR-3: Implement Additional TDM Strategies to Reduce Single Occupancy Vehicle Trips to and from ZSFG; further, the Health Commission also adopts Improvement Measure IM-TR-1: Construction Coordination and Monitoring Measures; and be it

FURTHER RESOLVED, That the Health Commission approves the Ground Lease and Lease Disposition & Development Agreement between the City and the Regents of the University of California substantially in the form on file with the Executive Secretary to the Health Commission, with exhibits including the LDDA permit to enter and the construction license (collectively, the "Transaction Documents"), subject to the approval of the San Francisco Board of Supervisors, and directs the Director of Public Health and Director of Property to seek approval of the Transaction Documents from the San Francisco Board of Supervisors; and, be it

FURTHER RESOLVED, That the Health Commission authorizes the Director of Public Health, in consultation with the Office of the City Attorney and the Director of Real Estate, to enter into any additions, amendments or other modifications to the Transaction Documents that the Director of Public Health determines are in the best interests of the City, do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City, and are in compliance with all applicable laws, including the City's Charter.

I hereby certify that the San Francisco Health Commission at its meeting of December 6, 2016 adopted the foregoing resolution.

Mark Morewitz
Executive Secretary to the Health Commission