

1 [Grant of Easement - Pacific Gas and Electric Company - Execution of an Easement and
2 Installation of a High-Voltage Transmission Line - John McLaren Park - \$950,000]

3 **Resolution approving and authorizing a Purchase and Sale Agreement between the City**
4 **and County of San Francisco (“City”) and Pacific Gas and Electric Company (“PG&E”)**
5 **in the amount of \$950,000 granting PG&E an easement for subsurface utilities in John**
6 **McLaren Park under Visitacion Avenue and Mansell Street; adopting findings of**
7 **consistency with the General Plan, and eight priority policies of Planning Code, Section**
8 **101.1; affirming the California Public Utilities Commission’s determination under the**
9 **California Environmental Quality Act; authorizing the Director of Property to execute**
10 **documents, make certain modifications, and take certain actions in furtherance of the**
11 **Purchase and Sale Agreement and this Resolution that do not materially increase the**
12 **obligations or liabilities to the City and are necessary to effectuate the purposes of the**
13 **Purchase and Sale Agreement or this Resolution.**

14
15 WHEREAS, The City and County of San Francisco’s (“City”) Recreation and Park
16 Department (“REC”) has jurisdiction over John McLaren Park (inclusive of roadways), an
17 approximately 313-acre park located in the Excelsior/Visitacion Valley neighborhood, and is
18 the fee owner of Assessor’s Parcel Block No. 6220, Lot No. 002, in the City and County of
19 San Francisco (the “Property”); and

20 WHEREAS, The San Francisco Public Utilities Commission (“PUC”) is a City
21 department that has jurisdiction over and maintains the City’s water, power, and wastewater
22 systems, including certain utility facilities located within the Property and described in the
23 Easement Deed (defined below); and

24 WHEREAS, Pacific Gas and Electric Company (“PG&E”) intends to install, operate,
25 and maintain a new single-circuit, 230kV transmission line between the Jefferson-Martin

1 transmission line vault through a portion of McLaren Park to the Egbert Switching Station in
2 the City to increase reliability of electric service to downtown San Francisco and provide
3 operational flexibility (“Cable Project”); and

4 WHEREAS, The Cable Project will involve both transmission line work and switching
5 station work, including the construction of an approximately 3.1-mile, 230 kV cable route for a
6 cable extending from Brisbane to PG&E's Egbert Switching Station; and

7 WHEREAS, The park roads are a component of park land under the jurisdiction of REC
8 and are not designated public rights-of-way and, as such, they therefore are not covered by
9 the existing Franchise Agreement between the City and PG&E; and

10 WHEREAS, The need for creating pedestrian connections and improving safety
11 through slowing vehicular speeds within McLaren Park has been established in REC's
12 McLaren Park Vision Plan and is listed as a priority action of the San Francisco Planning
13 Department's Visitacion Valley Impact Fee Plan Area; and

14 WHEREAS, REC, in coordination with the community, developed a scope for the
15 Visitacion Avenue Pedestrian and Bicycle Safety Project (“Vis Ave Safety Project”) that
16 includes narrowing the roadway and adding protected bike lanes, sidewalks, and lighting, and
17 removing a significant amount of parking while maintaining parking in the high-use area
18 between the McLaren Community Garden and Coffman Pool; and

19 WHEREAS, The Cable Project will benefit the City through strengthening system
20 resiliency and resolving reliability concerns to meet the needs of the region's growing
21 population and will support continued economic vitality and bolster the resilience of the
22 electric infrastructure; and

23 WHEREAS, The community benefits from reduced impacts by undergrounding the
24 transmission line through McLaren Park instead of through a residential neighborhood, both
25 during construction and after; and

1 WHEREAS, The Vis Ave Safety Project is under the direction of REC and will continue
2 to be informed by community input, with project goals of increasing safety and improving
3 pedestrian and bicycle access along a half mile stretch of Visitacion Avenue between Mansell
4 Street and Hahn Street; and

5 WHEREAS, PG&E seeks to purchase an easement that will allow PG&E to use REC's
6 Property to construct, maintain and operate the Cable Project on the Property; and

7 WHEREAS, The City and PG&E have agreed to a Purchase and Sale Agreement; a
8 copy of the PSA is on file with the Clerk of the Board of Supervisors in File No. XXXXX ("PSA"),
9 which is hereby declared to be a part of this Resolution as if set forth fully herein; and

10 WHEREAS, The PSA will codify the terms for granting an easement for the exclusive
11 use of PG&E to construct, maintain, and operate the portion of the Cable Project underneath
12 a portion of Visitacion Avenue and a portion of Mansell Street under the Property subject to
13 the following terms and conditions: 1) a purchase price of \$950,000 to be paid to REC upon
14 execution of the PSA, 2) Upon installation of the Cable Project, PG&E shall repave the
15 roadway at its full width in accordance with Public Works Minimum Infrastructure and
16 Roadway Requirements on Visitacion Avenue from Hahn Street to Mansell Street, on the
17 westbound portion of Mansell Street from Visitacion Avenue to University Street, as well as
18 the Visitacion Avenue/Mansell Street intersection and the Visitacion Valley Middle School
19 "turnaround" from Visitacion Avenue to the eastern curb of the turnaround, 3) The PSA is
20 dependent on the execution of a separate property transaction where PG&E has
21 decommissioned its transmission tower at 5000 Hunters Point Boulevard and will transfer the
22 property to REC, subject to Board of Supervisors approval; and

23 WHEREAS, City staff and PG&E have drafted a mutually-agreeable easement deed
24 that fully describes the rights and obligations of the parties with regard to the installation and
25

1 maintenance of PG&E subsurface utilities within the Property; a copy of the easement deed is
2 included as an exhibit to the PSA (the “Easement Deed”); and

3 WHEREAS, The Easement Deed will further REC’s mission, as articulated in REC’s
4 Strategic Plan Objective 1.1 (“Develop more open space and improve access to existing
5 facilities to address population growth in high-need and emerging neighborhoods”), by funding
6 much-needed bicycle and pedestrian improvements at Visitacion Avenue and by enabling the
7 India Basin park project to move forward upon the Board’s approval of this Resolution; and

8 WHEREAS, On August 15, 2024, the Recreation and Park Commission unanimously
9 approved Resolution No. 2408-007 affirming the PG&E option for an easement at Visitacion
10 Avenue within the Property and urging the Board of Supervisors to approve granting PG&E an
11 underground utility easement over the Property in connection with the Cable Project; and

12 WHEREAS, On August 15, 2024, the Recreation and Park Commission unanimously
13 approved Resolution No. 2408-008 affirming the City’s acquisition of the PG&E property at
14 5000 Hunters Point Boulevard subject to PG&E reserving an underground electric easement
15 over the property in connection with the India Basin Waterfront Development project; and

16 WHEREAS, The California Public Utilities Commission (“CPUC”), as lead agency,
17 granted a Certificate of Public Convenience and Necessity in accordance with the California
18 Environmental Quality Act (“CEQA”) for the Cable Project by Decision No. 20-06-037 on June
19 25, 2020; a Notice of Determination was filed with the State Clearinghouse on July 13, 2020;
20 now, therefore, be it

21 RESOLVED, The Board of Supervisors affirms the CPUC’s determination under CEQA
22 and finds that the proposed easement on the Property is consistent with the General Plan and
23 eight priority policies of Planning Code, Section 101.1; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors finds that 1) the public interest
25 or necessity demands the transactions contemplated in the PSA, 2) competitive bidding is

1 impractical or impossible given that the PSA is establishing property rights in connection with
2 exclusively shared development goals, including PG&E's installation of the Cable Project
3 upon the Property and REC's construction of the Vis Ave Safety Project upon the Property, as
4 well as the 900 Innes/India Basin Waterfront Development Project at a separate location
5 which is reliant on the acquisition of the PG&E parcel at Block 4629A Lot 012 which is
6 dependent upon the adoption of this Resolution, and 3) the PSA will further a proper public
7 purpose by ensuring the Property is developed with the Vis Ave Safety Project that will
8 improve safety for people walking, biking, driving and parking along the half-mile-long
9 Visitacion Avenue corridor through McLaren Park between Mansell Street and Hahn
10 Street/Mrs. Jackson Way by adding new sidewalks, bikeways and lighting, and traffic calming
11 features to slow vehicular traffic along Visitacion Avenue and add a new crosswalk to connect
12 Leland Avenue to Herz Playground; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors affirms the adequacy of the
14 easement appraisal, performed by the City's Department of Real Estate citing a fair market
15 value purchase price below the agreed upon purchase price of \$950,000 for the execution of
16 the PSA by PG&E for installation of a high voltage transmission line in McLaren Park under
17 Visitacion Avenue and Mansell Street; and, be it

18 FURTHER RESOLVED, That in accordance with the recommendation of the General
19 Manager of REC and the Director of Property, the Board of Supervisors approves the PSA
20 and the transactions contemplated thereby in substantially the form presented to the Board,
21 and authorizes the General Manager of REC and the Director of Property to execute the PSA
22 in accordance with the terms and conditions of the PSA, and to take all actions necessary or
23 appropriate to establish the easement; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
25 Property to enter into any amendments to the PSA and Easement Deed and to enter into

1 ancillary agreements that the Director of Property determines, in consultation with the City
2 Attorney and General Manager of REC, are in the best interest of the City, do not otherwise
3 materially increase the obligations or liabilities of the City, are necessary or advisable to
4 effectuate the purposes of the agreements and this resolution and are in compliance with all
5 applicable laws, including the City's Charter; and, be it

6 FURTHER RESOLVED, That the Director of Property shall provide the Clerk of the
7 Board of Supervisors a fully executed copy of the PSA within thirty (30) days after execution.

8 RECOMMENDED:
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11 /s/ Sarah Madland
12 Sarah Madland
13 General Manager
14 San Francisco Recreation and Park Department

15 /s/ Sarah R. Oerth
16 Sarah R. Oerth
17 Director of Property
18 Real Estate Department
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