



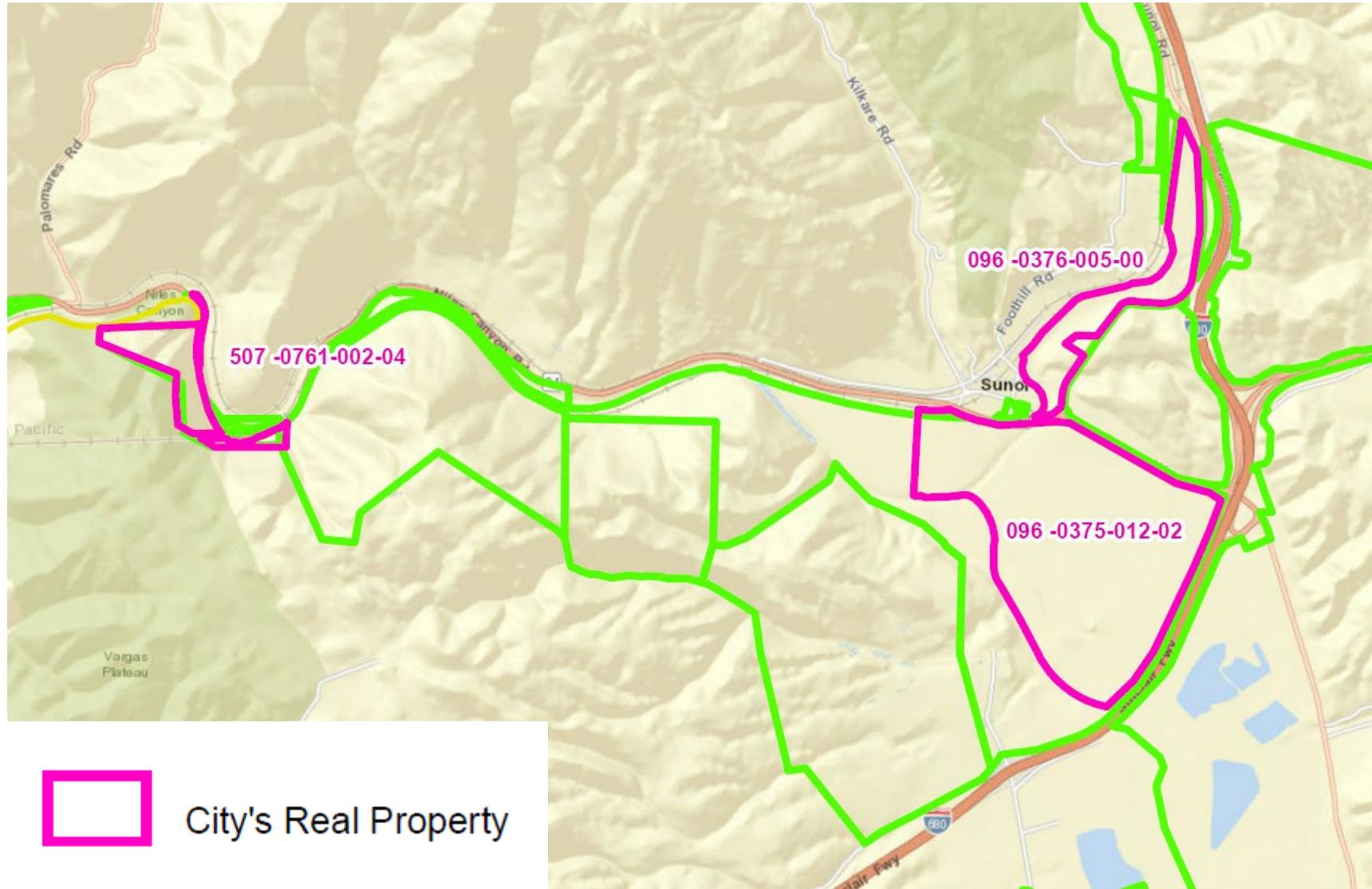
San Francisco Public Utilities Commission

**Real Property Sale Agreement - State of
California - Portions of SFPUC Parcel
Nos. 57 and 65 - State Route 84 / Niles
Canyon Safety Improvement Project in
Alameda County - \$11,970**

**November 9, 2022
Anthony Bardo, Real Estate Services Division**



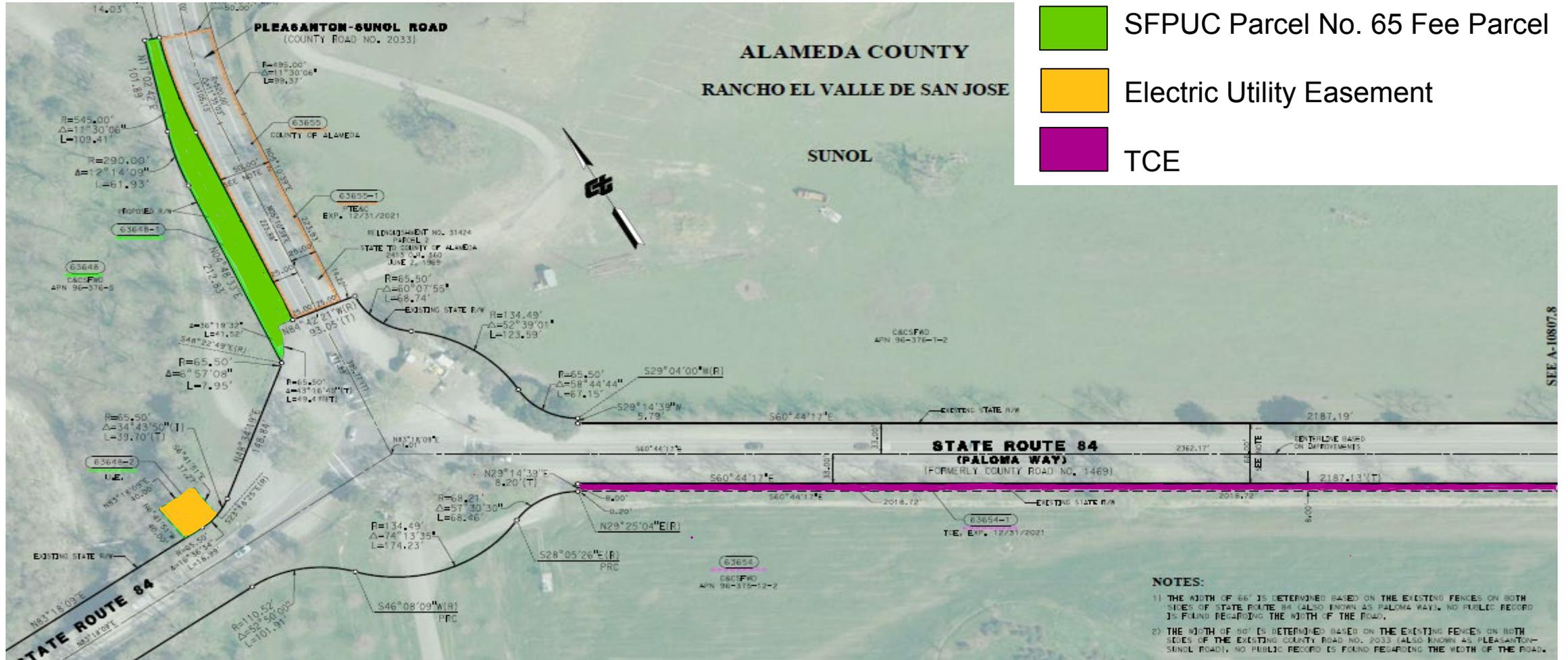
Depiction of City Property



City's Real Property

Fee, TCE and Utility Easement Parcels to Caltrans

- Caltrans proposes to construct safety improvements at spot locations along Niles Canyon Road and Paloma Way, and seeks to acquire:
- Roughly 17,832 square feet in fee,
- Approximately 16,150 square feet of temporary construction easement area (TCEs), and
- Approximately 1,583 square feet of electrical utility easement area.



No Utility Use of the Property

- The SFPUC has no utility use for the Property, which was deemed underutilized per an SFPUC statement of underutilization for the Property, dated May 18, 2021, signed by the Assistant General Managers of the Water, Wastewater, and Power Enterprises.

Fair Market Value Offer

- Caltrans made a government code offer for the City Property and the Caltrans' staff appraiser appraised the fair market value as of April 2021 at \$11,970.
- The City's Director of Property approved the appraisal on June 17, 2021. Caltrans' staff appraiser updated its appraisal as of April 2022 and concluded there was no change in its original value conclusion of \$11,970.

Exempt Surplus Property

- The Property is “surplus land,” as defined in California Government Code Section 54221(b), because it is owned in fee simple by the City and not necessary for the City’s use.
- The Property is “exempt surplus land,” as defined in California Government Code Section 54221(f)(1)(D), because it is surplus land that the City is transferring to another local agency for that agency’s use.

Competitive Bidding Impractical

- Caltrans seeks to purchase the property and has the authority to exercise the power of eminent domain to compel the City to sell the Property to Caltrans.
- In this case, a competitive bidding process under Section 23.3 of the Administrative Code is impractical and otherwise not in the public interest because the sale of the Property to Caltrans will avoid the expense, time, effort, and risk of eminent domain litigation.

Commission and Board Approval

- On September 13, 2022, by Resolution No. 22-0159, the San Francisco Public Utilities Commission approved this sale.
- The SFPUC requests that the Budget and Finance Committee recommend this resolution to the full Board of Supervisors.