

1 [Real Property Acquisition - Easements from Lake Merced Golf Club - Regional Groundwater
2 Storage and Recovery Project, San Mateo County - \$66,465]

3 **Resolution approving and authorizing the acquisition of one permanent surface access**
4 **easement; seven permanent subsurface easements for an electrical line, telephone**
5 **line, utility line, storm drain, sanitary sewer, utility water and well discharge; one**
6 **temporary construction easement; and a well and building easement that includes**
7 **bathroom improvements from Lake Merced Golf Club, a California corporation, for**
8 **\$66,465 to be used by the City and County of San Francisco under the Water System**
9 **Improvement Program for the access, installation, modification, removal, inspection,**
10 **maintenance, repair, replacement, periodic scheduled maintenance, emergency**
11 **repairs, and construction of the project known as the Regional Groundwater Storage**
12 **and Recovery Project, Project No. CUW30103; adopting findings under the California**
13 **Environmental Quality Act; adopting findings that the conveyance is consistent with**
14 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
15 **approving the Agreement and authorizing the Director of Property and/or the San**
16 **Francisco Public Utilities Commission General Manager to execute documents, make**
17 **certain modifications, and take certain actions in furtherance of this Resolution, as**
18 **defined herein.**

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20 WHEREAS, The San Francisco Public Utilities Commission ("SFPUC") has developed
21 and approved the Regional Groundwater Storage and Recovery Project ("Project"), Project
22 No. CUW30103, a water infrastructure project included as part of the Water System
23 Improvement Program ("WSIP"), with the primary purpose of providing additional dry-year
24 regional water supply capacity; and
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1 WHEREAS, The Project is located in the County of San Mateo and its completion
2 would help the SFPUC achieve the WSIP Level of Service goal for Water Supply adopted by
3 the SFPUC in Resolution No. 08-200; and

4 WHEREAS, The specific objectives of the Project are to conjunctively manage the
5 South Westside Groundwater Basin through the coordinated use of SFPUC surface water
6 and groundwater pumped by the City of Daly City, the City of San Bruno, and the California
7 Water Service Company (“Participating Pumpers”) to provide supplemental SFPUC surface
8 water to the Participating Pumpers in normal and wet years, resulting in a corresponding
9 reduction of groundwater pumping, which then allows for in-lieu recharge of the South
10 Westside Groundwater Basin to increase the dry-year and emergency pumping capacity of
11 the South Westside Groundwater Basin by up to an average annual volume of 7.2 million
12 gallons per day and provide a new dry-year groundwater supply for SFPUC customers and
13 increase water supply reliability during a multi-year drought cycle; and

14 WHEREAS, An Environmental Impact Report as required by the California
15 Environmental Quality Act (“CEQA”) was prepared for the Project by the San Francisco
16 Planning Department, File No. 2008.1396E; and

17 WHEREAS, The San Francisco Planning Commission on August 7, 2014,
18 1) certified the Final Environmental Impact Report (“FEIR”) for the Project by Motion No.
19 M-19209; 2) adopted findings under CEQA, including the adoption of a Mitigation
20 Monitoring and Reporting Program (“MMRP”) and a statement of overriding considerations
21 (“CEQA Findings”) by Motion No. M-19210; and 3) found the Project consistent with the
22 General Plan, and eight priority policies of Planning, Section 101.1 (“General Plan
23 Findings”) by Motion No. M-19211, a copy of the motions is on file with the Clerk of the
24 Board of Supervisors under File No. 150616, which is incorporated herein by this reference;
25 and

1 WHEREAS, The Project requires that the City acquire one (1) permanent surface
2 access easement; seven (7) permanent subsurface easements for an electrical line,
3 telephone line, utility line, storm drain, sanitary sewer, utility water and well discharge; one (1)
4 temporary construction easement; and one (1) well and building easement that includes
5 bathroom improvements from Lake Merced Golf Club (collectively, the “Easements”) over, on,
6 in, under and across portions of that real property owned by the Lake Merced Golf Club, a
7 California corporation, (“Grantor”) located in the City of Daly City in San Mateo County, CA;
8 and

9 WHEREAS, On August 12, 2014, by SFPUC Resolution No. 14-0127, a copy of
10 which is on file with the Clerk of the Board of Supervisors under File No. 140945, which is
11 incorporated herein by this reference, the SFPUC adopted CEQA Findings and approved
12 the proposed acquisition of the Easements by authorizing the SFPUC General Manager
13 and/or the Director of Property through consultation with the Office of the City Attorney,
14 following Board of Supervisors approval of the acquisition of the Easements, to accept and
15 execute final agreements, and any other related documents necessary to consummate the
16 transactions contemplated therein; and

17 WHEREAS, The Board of Supervisors on October 28, 2014 approved Resolution
18 No. 400-14, which included the adoption of CEQA Findings and the adoption of the San
19 Francisco Planning Commission’s General Plan Findings for the Project; a copy of which is
20 on file with the Clerk of Board of Supervisors under File No. 140945, which is incorporated
21 herein by this reference; and

22 WHEREAS, SFPUC staff, through consultation with the Director of Property and the
23 Office of the City Attorney, have negotiated with the Grantor the proposed terms and
24 conditions of City’s acquisition of the Easements as set forth in the form of an Agreement
25 for Purchase and Sale of Real Estate (“Agreement”), between City, as Grantee, and

1 Grantor, a copy of which is on file with the Clerk of the Board of Supervisors under File No.
2 180439, which is incorporated herein by reference, by which City would pay Grantor
3 \$66,465 as compensation for the Easements as determined by an appraisal report dated
4 December 1, 2014; and

5 WHEREAS, In accordance with the provisions of Section 23.3 of the San Francisco
6 Administrative Code, an independent appraisal report was completed and appraisal review
7 report deemed not required; and

8 WHEREAS, The Project files, including SFPUC Resolution Nos. 08-200 and 14-0127
9 and San Francisco Planning Department File No. 2008.1396E have been made available
10 for review by the Board of Supervisors and the public, and those files are considered part of
11 the record before this Board; and

12 WHEREAS, The Board of Supervisors has reviewed and considered the information
13 contained in the FEIR, and the CEQA Findings, including all written and oral information
14 provided by the Planning Department, the public, relevant public agencies, the SFPUC and
15 other experts and the administrative files for the Project; now, therefore, be it

16 RESOLVED, The Board of Supervisors, having reviewed and considered the FEIR
17 and record as a whole, finds that the proposed Agreement is within the scope of the project
18 analyzed in the FEIR and previously approved by the San Francisco Planning Commission,
19 the SFPUC, and the Board of Supervisors; and, be it

20 FURTHER RESOLVED, The Board finds that the FEIR is adequate for its use as the
21 decision-making body for approval of the Agreement and hereby incorporates by reference
22 the CEQA Findings made in Resolution No. 400-14, Board File No. 140945 concerning the
23 Project; and, be it

24 FURTHER RESOLVED, The Board further finds that since the FEIR was finalized,
25 there have been no substantial project changes and no substantial changes in project

1 circumstances that would require major revisions to the FEIR due to the involvement of
2 new significant environmental effects or an increase in the severity of previously identified
3 significant impacts, and there is no new information of substantial importance that would
4 change the conclusions set forth in the FEIR; and, be it

5 FURTHER RESOLVED, The Board of Supervisors hereby incorporates by reference
6 the General Plan Findings made in Resolution No. 400-14, Board File No. 140945
7 concerning the Project; and, be it

8 FURTHER RESOLVED, That in accordance with the recommendations of the Public
9 Utilities Commission and the Director of Property, the Board of Supervisors hereby
10 approves the Agreement and the transaction contemplated thereby in substantially the form
11 of such instrument presented to this Board; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors ratifies the Agreement and
13 authorizes the Director of Property and/or the SFPUC's General Manager to enter into any
14 additions, amendments, or other modifications to the Agreement (including, without
15 limitation, the attached exhibits) that the Director of Property and/or the SFPUC's General
16 Manager determines are in the best interest of the City, that do not materially increase the
17 obligations or liabilities of the City, and are necessary or advisable to complete the
18 transaction contemplated in the Agreement and effectuate the purpose and intent of this
19 resolution, such determination to be conclusively evidenced by the execution and delivery
20 by the Director of Property of the Agreement and any amendments thereto; and, be it

21 FURTHER RESOLVED, That the Director of Property is hereby authorized and
22 urged, in the name and on behalf of the City and County, to execute and deliver the
23 Agreement with Grantor upon the closing in accordance with the terms and conditions of
24 the Agreement, and to take any and all steps (including, but not limited to, the execution
25 and delivery of any and all certificates, agreements, notices, consents, escrow instructions,

1 closing documents, and other instruments or documents) as the Director of Property deems
2 necessary or appropriate in order to consummate the acquisition of the Easements
3 pursuant to the Agreement, or to otherwise effectuate the purpose and intent of this
4 resolution, such determination to be conclusively evidenced by the execution and delivery
5 by the Director of Property of any such documents.

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\$66,465.00 available
Fund ID: 26230
Department ID: 232146
PS Project ID: 10015241
Authority ID: 15557

Controller

1 RECOMMENDED:

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5 Director of Property
6 Real Estate Division

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8 RECOMMENDED:

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12 General Manager
13 San Francisco Public Utilities Commission

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