

1 [Real Property Purchase Agreement - 1550 Evans Avenue and 330 Newhall Street - San  
2 Francisco Public Utilities Commission - \$15,000,000]

3 **Resolution approving and authorizing an agreement for the purchase of a parcel of real**  
4 **estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203,**  
5 **Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet**  
6 **of office/industrial buildings for the San Francisco Public Utilities Commission, for a**  
7 **purchase price of \$15,000,000; adopting findings under the California Environmental**  
8 **Quality Act; adopting findings that the conveyance is consistent with the City's General**  
9 **Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing**  
10 **the Director of Property to execute documents, make certain modifications, and take**  
11 **certain actions in furtherance of this Resolution.**

12  
13 WHEREAS, The mission of the San Francisco Public Utilities Commission ("SFPUC")  
14 is to provide SFPUC customers with high quality, efficient and reliable water, power and  
15 sewer services, while sustaining our precious resources; and

16 WHEREAS, The SFPUC employs over 2,300 dedicated public servants to deliver such  
17 services, headquartered at 525 Golden Gate but also strategically placed at many other  
18 locations in San Francisco and throughout the multi-county region served; and

19 WHEREAS, Many of the SFPUC staff within the Wastewater Enterprise Collection  
20 System Division are located at several different facilities, some temporary, and if co-located  
21 greater efficiencies can be gained in operations; and

22 WHEREAS, 3<sup>rd</sup> & Evans Street, LLC ("Seller") owns Lot 035, in Block 5203 of the  
23 County of San Francisco (the "Property"), containing over 50,000 square feet of office and  
24 industrial space on 4.68 acres of land and is willing to sell the Property for \$15,000,000.00;  
25 and

1           WHEREAS, The SFPUC finds the Property ideally suited to meet space needs for the  
2 Wastewater Enterprise Collection System Division staff, equipment, rolling stock, and  
3 materials, given the Property's size, improvements and proximity to the Southeast Water  
4 Pollution Control Plant; and

5           WHEREAS, The Property was appraised by a third party appraiser in March of 2012, at  
6 \$16,000,000, and said appraisal was reviewed and approved by the City's Director of  
7 Property; and

8           WHEREAS, An acquisition of the Property has been negotiated at a purchase price of  
9 \$15,000,000, if approved by all relevant City authorities by November 16, 2012, and as further  
10 outlined in the Agreement of Purchase and Sale for Real Estate (the "Agreement"), a copy of  
11 which is on file with the Clerk of the Board of Supervisors in File No. 121020 and incorporated  
12 herein by reference; and

13           WHEREAS, The SFPUC Commission has approved the acquisition of the Property  
14 through Resolution No. 12-1075, adopted at its meeting of September 25, 2012, a copy of  
15 which is on file with the Clerk of the Board of Supervisors in File No. 121020; and

16           WHEREAS, The Director of the Planning Department, by letter dated September 7,  
17 2012, has found that this purchase is consistent with the City's General Plan and with the  
18 Eight Priority Policies of City Planning Code Section 101.1, and is not subject to CEQA  
19 pursuant to CEQA Guidelines Section 15060(c)(2), a copy of which findings is on file with the  
20 Clerk of the Board of Supervisors under File No. 121020 and is incorporated herein by  
21 reference, now, therefore, be it

22           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
23 hereby finds that the Agreement is consistent with the General Plan and with the Eight Priority  
24 Policies of City Planning Code Section 101.1, and is not subject to CEQA pursuant to CEQA  
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1 Guidelines Section 15060(c)(2) for the same reasons as set forth in the letter of the Director of  
2 Planning dated September 7, 2012; and, be it

3 FURTHER RESOLVED, That in accordance with the recommendation of the General  
4 Manager of the SFPUC and Director of Property, the Board of Supervisors hereby approves  
5 the purchase of the property located at 1550 Evans Avenue and 330 Newhall Street  
6 (Assessor Block No. 5203, Lot No. 035) and the transaction contemplated thereby in  
7 substantially the form of such Agreement presented to the Board and authorizes the Director  
8 of Property to execute the Agreement; and, be it

9 FURTHER RESOLVED, That all actions heretofore taken by any employee or official of  
10 the City with respect to this acquisition are hereby approved, confirmed and ratified; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
12 Property to enter into any amendments or modifications to the Agreement (including, without  
13 limitation, the attached exhibits) that the Director of Property determines, in consultation with  
14 the City Attorney and SFPUC General Manager, are in the best interest of the City, do not  
15 otherwise materially increase the obligations or liabilities of the City, are necessary or  
16 advisable to effectuate the purposes of the Agreement and are in compliance with all  
17 applicable laws, including City's Charter; and, be it

18 FURTHER RESOLVED, That the Director of Property is hereby authorized and urged,  
19 in the name and on behalf of the City and County, to accept the deed to the Property from the  
20 Seller upon the closing in accordance with the terms and conditions of the Agreement, and to  
21 take any and all steps (including, but not limited to, the execution and delivery of any and all  
22 certificates, agreements, notices, consents, escrow instructions, closing documents and other  
23 instruments or documents) as the Director of Property deems necessary or appropriate in  
24 order to consummate the conveyance of the Property pursuant to the Agreement, or to  
25 otherwise effectuate the purpose and intent of this resolution, such determination to be

1 conclusively evidenced by the execution and delivery by the Director of Property of any such  
2 documents.

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\$15,018,178.50

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Index Code: 573616  
CWWFAC02 – Collection Division  
Consolidation

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Controller

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Recommended:

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General Manager  
San Francisco Public Utilities Commission

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Director of Property

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