

1 [Agreement to Purchase Property Rights in Assessor Block 3767, Portion of Lot 4]

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3 **Resolution approving and authorizing an agreement for the purchase of a permanent**
4 **easement located at the southwest corner of Main and Bryant Streets for the Bay**
5 **Bridge Pump Station for a purchase price of \$650,000; adopting findings that the**
6 **conveyance is exempt from Environmental Review and is consistent with the City's**
7 **General Plan and Eight Priority Policies of City Planning Code Section 101.1; and**
8 **authorizing the Director of Property to execute documents, make certain**
9 **modifications and take certain actions in furtherance of this resolution.**

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11 WHEREAS, The San Francisco Public Utilities Commission, City Distribution
12 Division, operates and maintains the Bay Bridge Pump Station; and

13 WHEREAS, The Bay Bridge Pump Station is the sole supply of potable water to
14 Treasure Island/Yerba Buena Island and provides fire protection on the western approach
15 of the San Francisco-Oakland Bay Bridge; and

16 WHEREAS, Relocation of the Bay Bridge Pump Station from the California
17 Department of Transportation ("Caltrans") property was required to allow the \$250 million
18 Bay Bridge seismic retrofit work to be completed; and

19 WHEREAS, Caltrans has worked closely with the City and has provided a site for
20 the relocated pump station; and

21 WHEREAS, Relocation of the Bay Bridge Pump Station was required to bring the
22 station up to current health, seismic, operational, maintenance, and safety standards; and

23 WHEREAS, The former Bay Bridge Pump Station, which had exceeded its useful
24 life, was demolished and the replacement Station has been built on State property; and
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1 WHEREAS, The Public Utilities Commission pursuant to Resolution No. 99-0018,
2 has authorized the purchase of a 5,905 sq. ft. permanent easement ("Property Rights") for
3 the newly constructed Pump Station for \$650,000; and,

4 WHEREAS, A copy of the Pump Station Relocation Agreement ("Agreement")
5 between the City and Caltrans is on file with the Clerk of the Board of Supervisors under
6 File No. _____; and,

7 WHEREAS, The Agreement provides for the conveyance of the necessary Property
8 Rights to City, subject to the satisfaction of certain conditions, including the payment of a
9 purchase price of \$650,000 and one-half of the property appraisal costs; and,

10 WHEREAS, The Director of Property has determined, based on two independent
11 MAI appraisals, that the purchase price reflects the fair market value of the Property Rights;
12 and,

13 WHEREAS, The Director of Planning, by letter dated November 9, 2001, found that
14 the conveyance of the Property Rights contemplated by the Agreement, is consistent with
15 the City's General Plan, and with the Eight Priority Policies of City Planning Code Section
16 101.1, and is exempt from Environmental Review, which letter is on file with the Clerk of the
17 Board of Supervisors under File No. _____, and which letter is incorporated herein
18 by this reference; now, therefore, be it

19 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
20 hereby finds that the Agreement is consistent with the General Plan, and with the Eight
21 Priority Policies of City Planning Code Section 101.1 and is exempt from Environmental
22 Review for the same reasons as set forth in the letter of the Director of Planning, dated
23 November 9, 2001, and hereby incorporates such findings by reference as though fully set
24 forth in this resolution; and, be it

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1 FURTHER RESOLVED, That in accordance with the recommendations of the
2 General Manager of the Public Utilities Commission and the Director of Property, the Board
3 of Supervisors hereby approves the Agreement and the transaction contemplated thereby
4 in substantially the form of such Agreement presented to this Board; and, be it

5 FURTHER RESOLVED, That in consideration of the conveyance of the Property
6 Rights the City shall pay to Caltrans a purchase price of \$650,000 and the City's share of
7 the appraisal costs in the amount of \$29,000, upon the closing of the conveyance of the
8 Property Rights to the City; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
10 Property to enter into any additions, amendments or other modifications to the Agreement
11 (including, without limitation, the attached exhibits) that the Director of Property determines
12 are in the best interests of the City, that do not increase the purchase price for the Property
13 Rights or otherwise materially increase the obligations or liabilities of the City, and are
14 necessary or advisable to complete the transaction contemplated in the Agreement and
15 effectuate the purpose and intent of this resolution; and, be it

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

1 FURTHER RESOLVED, That all actions previously taken by City personnel to
2 acquire the easement and otherwise comply with the Relocation Agreement.

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5 RECOMMENDED:

FUNDS AVAILABLE: \$650,000
Appropriation: 502031
Project CUW203. K3

6
7
8 _____
Director of Property

Controller