

1 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs
2 - \$2,500,000]

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4 **Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton**
5 **Street and Gough Street to the Boys and Girls Clubs of San Francisco for \$2,500,000**
6 **subject to a declaration of economic covenants and a project use restriction; 2)**
7 **adopting environmental findings and other findings that the actions set forth in this**
8 **Resolution are consistent with the City’s General Plan and Eight Priority Policies of**
9 **City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of**
10 **this Resolution.**

11
12 WHEREAS, The State of California transferred a former Central Freeway property
13 located at the northeast corner of Fulton Street and Gough Street and commonly known as
14 Assessor’s Block 0785, Lot 029 (Parcel F) to the City and County of San Francisco (City)
15 under Section 72.1 of the California Streets and Highways Code; and,

16 WHEREAS, Under Ordinance No. 104-09, adopted by the Board of Supervisors on
17 June 16, 2009, City's Director of Property is authorized to sell Parcel F and other former
18 Central Freeway property (Excess Central Freeway Properties) at fair market value, subject to
19 a declaration of economic justice and community development covenants (Declaration of
20 Economic Covenants), and a copy of Ordinance No. 104-09 is on file with the Clerk of the
21 Board of Supervisors in File No. 081525 and is incorporated herein by reference; and,

22 WHEREAS, The Boys and Girls Clubs of San Francisco (BGCSF), a registered
23 501(c)(3) non-profit organization whose mission is to offer our youth a safe place to learn and
24 grow, wishes to purchase Parcel F for \$2,500,000, subject to the Declaration of Economic
25 Covenants and the terms and conditions of an agreement for the sale of real estate between

1 BGCSF and City (Agreement), a copy of which is on file with the Clerk of the Board of
2 Supervisors in File No. 111250 and is incorporated herein by reference; and,

3 WHEREAS, The \$2,500,000 purchase price is less than fair market value, but the
4 Agreement requires BGCSF to develop Parcel F with a clubhouse that will serve low-income
5 youth, which will include a pool facility and administrative offices for the organization and may
6 include a residential component (Project); and,

7 WHEREAS, The Agreement requires BGCSF to sign a Declaration of Covenants and
8 Use Restrictions (Project Use Declaration) restricting the use of Parcel F to the development
9 and operation of the Project for thirty years, a copy of which is on file with the Clerk of the
10 Board of Supervisors in File No. 111250 and is incorporated herein by reference; and,

11 WHEREAS, The use of Parcel F for the development and operation of the Project will
12 provide a community-serving purpose in an area of the City and County of San Francisco that
13 could benefit greatly from additional recreational facilities; and,

14 WHEREAS, The City's Planning Department reported its findings that that the sale of
15 the Excess Central Freeway Properties was consistent with the City's General Plan and with
16 Planning Code Section 101.1(b) in a letter dated October 1, 2008, a copy of which is on file
17 with the Clerk of the Board of Supervisors in File No. 081525 and is incorporated herein by
18 reference, which were adopted by the Board of Supervisors in Ordinance No. 104-09, and the
19 Board of Supervisors confirms its reliance on such findings for the sale of Parcel F; and,

20 WHEREAS, The City's Planning Department determined the sale of Parcel F is
21 categorically exempt from review under the California Environmental Quality Act (CEQA),
22 State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code in a letter
23 dated October 1, 2008, and a copy of such letter is on file with the Clerk of the Board of
24 Supervisors in File No.018525 and is incorporated herein by reference, and the Board of
25 Supervisors adopts and relies on such determination by the City's Planning Department; and,

1 WHEREAS, The Board of Supervisors hereby declares that the public interest or
2 necessity will not be inconvenienced by the sale of Parcel F to BGCSF under the Agreement;
3 now, therefore, be it

4 RESOLVED, That the Director of Property is hereby authorized to enter into the
5 Agreement, in a form substantially as on file with the Clerk of the Board of Supervisors in File
6 No. _____, and incorporated herein by reference, and further authorized and directed to
7 do any and all things to execute and deliver the Agreement and related documents specified
8 in the Agreement that the Director of Property determines, in consultation with the City
9 Attorney, are in the best interest of the City, including any modifications or amendments that
10 do not materially increase the obligations of the City or materially decrease the benefits to the
11 City, are necessary or advisable to consummate the performance of the purposes of this
12 Resolution, and are in compliance with all applicable laws, including the City's Charter.

13
14 RECOMMENDED:

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16 _____
17 John Updike, Acting Director of Property