

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 13-0052

WHEREAS, The City and County of San Francisco (City), through the San Francisco Public Utilities Commission (SFPUC), owns certain real property in unincorporated San Mateo County known as SFPUC Parcel 31-A) (Assessor's Parcel No. 093 102 110) within the Crystal Springs Watershed; and

WHEREAS, Pursuant to the Final Order of Condemnation, recorded July 18, 1978 in Book 7763 of the Official San Mateo County Records at page 57, Pacific Gas and Electric Company (PG&E) obtained an existing easement (Existing Easement) across a portion of SFPUC's Parcel 31-A; and

WHEREAS, PG&E now desires to acquire an additional easement over an area consisting approximately 7,799 square feet (Easement Area) overlapping with and adjacent to its Existing Easement, to expand its valve lot and install new gas transmission safety upgrades; and

WHEREAS, Pursuant to Charter Section 8B.121(a) the SFPUC has exclusive charge of the real property assets under its jurisdiction; and

WHEREAS, The SFPUC does not currently maintain any facilities on or adjacent to the Easement Area and does not anticipate requiring the use of the Easement Area for any SFPUC utility facilities in the future; and

WHEREAS, The SFPUC is willing to sell PG&E a non-exclusive easement on the Easement Area for valve lot purposes (Easement), reserving to SFPUC the right to use the Easement Area for uses that are compatible with PG&E's valve station and pipelines; and

WHEREAS, Offering the Easement by competitive bidding process or auction would be impractical because the Easement is located on top of and immediately adjacent to PG&E's existing easement containing a subsurface gas transmission pipelines and surface valve lot equipment; and

WHEREAS, Associated Right of Way Services, Inc., a MAI-certified appraiser, recently valued the proposed Easement at \$2,200; and

WHEREAS, SFPUC staff and the City's Department of Real Estate agreed with the appraiser's statement of value for the Easement; and

WHEREAS, SFPUC staff and PG&E have negotiated proposed terms and conditions of the Easement, set forth in the form of Easement Agreement which is part of the record before this Commission (Easement Agreement), including a purchase price of \$2,200; and

WHEREAS, On August 30, 2012, the City Planning Department issued a Certificate of Determination (COD) under the California Environmental Quality Act (CEQA) and determined that this transfer of property to PG&E falls under a Class 1 Categorical Exemption (CEQA Guidelines Section 15301) for minor alterations of existing facilities to provide natural gas service involving negligible expansion of use, and would not have a significant effect on the environment; and

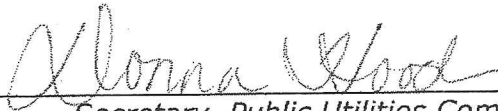
WHEREAS, On January 7, 2013, the SFPUC's Bureau of Environmental Management (BEM) concurred with the City Planning Department's COD under CEQA by memorandum; now, therefore, be it

RESOLVED, That this Commission finds that the Easement area is surplus to the needs of the SFPUC's utilities, and that the public interest or necessity will not be inconvenienced by the conveyance of the Easement to PG&E; and be it

FURTHER RESOLVED, That this Commission recommends to the City's Board of Supervisors to approve the sale of this Easement to PG&E for the appraised value of \$2,200; and be it

FURTHER RESOLVED, That this Commission approves the terms and conditions of the Easement Agreement for the Edgewood valve lot Easement and authorizes the General Manager of the SFPUC and/or the Director of Property, following Board of Supervisors approval of conveyance of the Easement, to execute the Easement Agreement and enter into any amendments or modifications to the Easement Agreement; including without limitation, modification, addition, or deletion of exhibits, and to enter into any related documents, instruments, memorandum, or other agreements reasonably necessary to consummate the transaction contemplated in the Easement Agreement, that the General Manager determines, in consultation with the City Attorney, are in the best interests of the City; do not materially increase the liabilities or obligations of the City or materially diminish the benefits to the City; are necessary or advisable to effectuate the purposes and intent of the Easement Agreement or this Resolution; and comply with all applicable laws, including the City Charter.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of April 9, 2013.



Secretary, Public Utilities Commission