

LEGISLATIVE DIGEST

[Memorandum of Agreement - Issuance of Revocable Licenses and Easements Agreements - City of Mountain View - Waiver of Administrative Code Appraisal Requirements]

Ordinance approving the terms and conditions of, and authorizing the General Manager of the San Francisco Public Utilities Commission (SFPUC) to seek approval from the Board of Supervisors and Mayor to execute, a Memorandum of Agreement (MOA) with the City of Mountain View, California with a term of up to 20 years, providing for the SFPUC's issuance to Mountain View of eight revocable licenses (New Licenses) for the use of SFPUC lands for public recreational purposes in exchange for Mountain View's grant to the SFPUC of nine easements (Proposed Easements) and Mountain View's agreement to perform other services, subject to Board of Supervisors approval pursuant to Charter, Section 9.118; exempting the MOA, the New Licenses, and the Proposed Easements from the appraisal requirements of San Francisco Administrative Code, Sections 23.3 and 23.30; affirming the SFPUC's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b).

Existing Law

Chapter 23 of the City's Administrative Code sets forth the policies and procedures for conveyance, acquisition, and leasing of real property by the City, including requirements for the preparation of appraisals in connection with certain proposed acquisitions, conveyances and leases. Pursuant to the proposed ordinance, the Board would approve the execution by the City of a Memorandum of Agreement ("MOA") for the proposed issuance of eight licenses ("New Licenses") by City to the City of Mountain View ("Mountain View") for use of City land as parks in exchange for Mountain View's conveyance to City of nine permanent easements ("Proposed Easements") across nine Mountain View street intersections where SFPUC pipelines are currently located and other services to be performed by Mountain View as stated in the MOA. The Board would also exempt from the appraisal requirements of Chapter 23 of the City's Administrative Code the real property transactions contemplated by the MOA, the New Licenses, and the Proposed Easements. The Board will also adopt findings affirming the SFPUC's determination under the California Environmental Quality Act and pursuant to the City Planning Code Section 101.

Amendments to Current Law

Pursuant to the proposed Ordinance, the Board would find, based on the substantial non-monetary consideration to be received from Mountain View in exchange for the New Licenses, that the appraisal requirements in San Francisco Administrative Code Section 23.3 and Section 23.30 should not apply to the transactions contemplated by the MOA, the New Licenses, and the Proposed Easements.