

1 [Grant of Easement and Acceptance of Quitclaim - Pacific Gas & Electric Company - Airport
2 West-of-Bayshore Property - Replacement of Natural Gas Pipeline - \$0]

3 **Resolution approving an Easement Agreement and Quitclaim of Easement between the**
4 **City and County of San Francisco, acting by and through its Airport Commission, and**
5 **Pacific Gas & Electric Company, for the exchange of easement areas at San Francisco**
6 **International Airport’s West-of-Bayshore property, for \$0, to accommodate the**
7 **replacement of a natural gas pipeline; authorizing the Airport Director and the Director**
8 **of Property to execute documents, make certain modifications, and take actions in**
9 **furtherance of this Resolution, as defined herein; finding the proposed transaction is in**
10 **conformance with the General Plan, and the eight priority policies of Planning Code,**
11 **Section 101.1; and adopting California Environmental Quality Act findings.**

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13 WHEREAS, Under an Exchange Deed dated July 14, 1953, approved by the Board of
14 Supervisors on April 7, 1952, by Ordinance No. 7253, as modified by an Exchange Deed
15 dated June 6, 1962, approved by this Board of Supervisors on June 21, 1962, by Ordinance
16 No. 8862 (collectively, the “Exchange Deeds”), Pacific Gas & Electric Company (“PG&E”) has
17 an existing 15’ wide easement (the “Original Easement”) over and across the West-of-
18 Bayshore property at the San Francisco International Airport (the “Airport”) for natural gas
19 pipelines and related appurtenances; and

20 WHEREAS, Within the Original Easement, PG&E currently operates a 20-inch natural
21 gas transmission line, a portion of which PG&E desires to replace, and the pipeline
22 replacement work contemplated by PG&E will result in the realignment of the new pipeline
23 outside of the Original Easement; and

24 WHEREAS, PG&E has agreed to relinquish and quitclaim to the City and County of
25 San Francisco (the “City”) the Original Easement as identified in the Exchange Deeds, and

1 City has agreed to grant to PG&E a new easement of the same width in a new alignment to
2 replace the Original Easement (the “New Easement”), at no cost to either party, on the terms
3 and conditions of an Easement Agreement and Quitclaim of Easement (“Agreement”), a copy
4 of which is on file with the Clerk of the Board of Supervisors in File No. _____; and

5 WHEREAS, On June 5, 2018, by Resolution No. 18-0170, the Airport Commission
6 approved the Agreement and adopted the Final Mitigated Negative Declaration for the PG&E
7 pipeline replacement work, and the Mitigation Monitoring and Reporting Program and
8 Improvement Measures in connection with the work, a copy of which is on file with the Clerk of
9 the Board of Supervisors in File No. _____; and

10 WHEREAS, The Planning Department, by letter dated October 23, 2018, found that the
11 Agreement is consistent with the General Plan, and the eight priority policies of Planning
12 Code, Section 101.1, which letter is on file with the Clerk of the Board of Supervisors in File
13 No. _____, and incorporated herein by this reference; and

14 WHEREAS, The City's Director of Property has determined that the grant of the New
15 Easement in exchange for PG&E's surrender of the Original Easement back to the City, both
16 of which are 15' wide and traverse the Airport's West-of-Bayshore property, are of equal or
17 greater value to the City; now, therefore, be it

18 RESOLVED, That the Board of Supervisors finds that the public interest or necessity
19 will not be inconvenienced by the grant of the easement or acceptance of the quitclaim of
20 easement, and that offering the easement by competitive bidding process or auction would be
21 impractical because the New Easement is granted in exchange for the Original Easement,
22 both of which are located on undevelopable parcels of Airport property; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors finds that the grant of the New
24 Easement to PG&E for zero dollars in exchange for the relinquishment of the Original
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1 Easement will serve the public purpose of accommodating PG&E's safety upgrades to its
2 natural gas transmission pipeline; and, be it

3 FURTHER RESOLVED, The Board of Supervisors affirms the Planning Department
4 and Airport Commission's determination under California Environmental Quality Act and finds
5 that the proposed Agreement between City and the Airport is consistent with the General
6 Plan, and with Planning Code, Section 101.1, for the reasons set forth in the Director of
7 Planning's letter; and, be it

8 FURTHER RESOLVED, That in accordance with the recommendation of the Director
9 of Property and the Airport Director, the Board of Supervisors hereby approves the Agreement
10 and the transaction contemplated thereby in substantially the form of such Agreement
11 presented to the Board of Supervisors, and authorizes the Director of Property and the Airport
12 Director, in the name and on behalf of the City, to execute the Agreement; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
14 Property and the Airport Director to enter into any amendments or modifications to the
15 Agreement that the Director of Property and the Airport Director determine, in consultation
16 with the City Attorney, are in the best interest of the City, do not otherwise materially diminish
17 the benefits to the City or increase the obligations or liabilities of the City, are necessary or
18 advisable to effectuate the purposes of the Agreement and are in compliance with all
19 applicable laws, including City's Charter; and, be it

20 FURTHER RESOLVED, That the Director of Property and the Airport Director are
21 hereby authorized and urged, in the name and on behalf of the City, to take any and all steps
22 (including, but not limited to, the execution and delivery of any and all certificates,
23 agreements, notices, consents, escrow instructions, closing documents and other instruments
24 or documents) as the Director of Property and the Airport Director deem necessary or
25 appropriate in order to consummate the grant of the easement and acceptance of the

1 quitclaim pursuant to the Agreement, or to otherwise effectuate the purpose and intent of this
2 resolution, such determination to be conclusively evidenced by the execution and delivery by
3 the Director of Property and Airport Director of any such documents; and, be it

4 FURTHER RESOLVED, That within thirty (30) days of the execution of the Agreement,
5 the Airport Director shall provide a copy to the Clerk of the Board for the Board's file.

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Ivar C. Satero
Airport Director
San Francisco Airport Commission

Andrico Q. Penick
Director of Property
Real Estate Division