

1 [Real Property Purchase Agreement - 1550 Evans Avenue and 330 Newhall Street - San
2 Francisco Public Utilities Commission - \$15,000,000]

3 **Resolution approving and authorizing an agreement for the purchase of a parcel of real**
4 **estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203,**
5 **Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet**
6 **of office/industrial buildings for the San Francisco Public Utilities Commission, for a**
7 **purchase price of \$15,000,000; adopting findings under the California Environmental**
8 **Quality Act; adopting findings that the conveyance is consistent with the City's General**
9 **Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing**
10 **the Director of Property to execute documents, make certain modifications, and take**
11 **certain actions in furtherance of this Resolution.**

12
13 WHEREAS, The mission of the San Francisco Public Utilities Commission ("SFPUC")
14 is to provide SFPUC customers with high quality, efficient and reliable water, power and
15 sewer services, while sustaining our precious resources; and

16 WHEREAS, The SFPUC employs over 2,300 dedicated public servants to deliver such
17 services, headquartered at 525 Golden Gate but also strategically placed at many other
18 locations in San Francisco and throughout the multi-county region served; and

19 WHEREAS, Many of the SFPUC staff within the Wastewater Enterprise Collection
20 System Division are located at several different facilities, some temporary, and if co-located
21 greater efficiencies can be gained in operations; and

22 WHEREAS, 3rd & Evans Street, LLC ("Seller") owns Lot 035, in Block 5203 of the
23 County of San Francisco (the "Property"), containing over 50,000 square feet of office and
24 industrial space on 4.68 acres of land and is willing to sell the Property for \$15,000,000.00;
25 and

1 WHEREAS, The SFPUC finds the Property ideally suited to meet space needs for the
2 Wastewater Enterprise Collection System Division staff, equipment, rolling stock, and
3 materials, given the Property's size, improvements and proximity to the Southeast Water
4 Pollution Control Plant; and

5 WHEREAS, The Property was appraised by a third party appraiser in March of 2012, at
6 \$16,000,000, and said appraisal was reviewed and approved by the City's Director of
7 Property; and

8 WHEREAS, An acquisition of the Property has been negotiated at a purchase price of
9 \$15,000,000, if approved by all relevant City authorities by November 16, 2012, and as further
10 outlined in the Agreement of Purchase and Sale for Real Estate (the "Agreement"), a copy of
11 which is on file with the Clerk of the Board of Supervisors in File No. 121020 and incorporated
12 herein by reference; and

13 WHEREAS, The SFPUC Commission has approved the acquisition of the Property
14 through Resolution No. 12-1075, adopted at its meeting of September 25, 2012, a copy of
15 which is on file with the Clerk of the Board of Supervisors in File No. 121020; and

16 WHEREAS, The Director of the Planning Department, by letter dated September 7,
17 2012, has found that this purchase is consistent with the City's General Plan and with the
18 Eight Priority Policies of City Planning Code Section 101.1, and is not subject to CEQA
19 pursuant to CEQA Guidelines Section 15060(c)(2), a copy of which findings is on file with the
20 Clerk of the Board of Supervisors under File No. 121020 and is incorporated herein by
21 reference, now, therefore, be it

22 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
23 hereby finds that the Agreement is consistent with the General Plan and with the Eight Priority
24 Policies of City Planning Code Section 101.1, and is not subject to CEQA pursuant to CEQA
25

1 Guidelines Section 15060(c)(2) for the same reasons as set forth in the letter of the Director of
2 Planning dated September 7, 2012; and, be it

3 FURTHER RESOLVED, That in accordance with the recommendation of the General
4 Manager of the SFPUC and Director of Property, the Board of Supervisors hereby approves
5 the purchase of the property located at 1550 Evans Avenue and 330 Newhall Street
6 (Assessor Block No. 5203, Lot No. 035) and the transaction contemplated thereby in
7 substantially the form of such Agreement presented to the Board and authorizes the Director
8 of Property to execute the Agreement; and, be it

9 FURTHER RESOLVED, That all actions heretofore taken by any employee or official of
10 the City with respect to this acquisition are hereby approved, confirmed and ratified; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
12 Property to enter into any amendments or modifications to the Agreement (including, without
13 limitation, the attached exhibits) that the Director of Property determines, in consultation with
14 the City Attorney and SFPUC General Manager, are in the best interest of the City, do not
15 otherwise materially increase the obligations or liabilities of the City, are necessary or
16 advisable to effectuate the purposes of the Agreement and are in compliance with all
17 applicable laws, including City's Charter; and, be it

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

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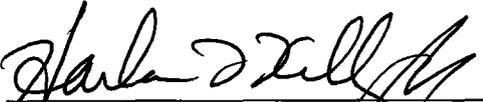
conclusively evidenced by the execution and delivery by the Director of Property of any such documents.

\$15,018,178.50

Index Code: 573616
CWWFAC02 – Collection Division
Consolidation


Controller

Recommended:


General Manager
San Francisco Public Utilities Commission


Director of Property



City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 121020

Date Passed: November 06, 2012

Resolution approving and authorizing an agreement for the purchase of a parcel of real estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203, Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet of office/industrial buildings for the San Francisco Public Utilities Commission, for a purchase price of \$15,000,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

November 01, 2012 Budget and Finance Committee - RECOMMENDED AS COMMITTEE REPORT

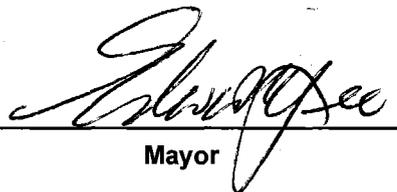
November 06, 2012 Board of Supervisors - ADOPTED

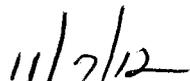
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 121020

I hereby certify that the foregoing Resolution was ADOPTED on 11/6/2012 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved