Resolution authorizing the Director of Property to execute a Quitclaim Deed and the San Francisco Public Utilities Commission (SFPUC) General Manager to execute an Agreement for Sale of Real Estate for the conveyance of real property by the City and County of San Francisco to the East Bay Regional Park District, commonly known as a portion of the Former Wool Ranch, Assessor's Parcel Block No. 096-0090-005-11 (20 acres); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings declaring that the real property is “exempt surplus land;” and authorizing the Director of Property and the SFPUC General Manager to execute any documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

WHEREAS, The City and County of San Francisco (City), under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC), owns certain real property located in an unincorporated portion of Alameda County near the Town of Sunol, California that constitutes approximately 20 acres (Property) of underutilized unimproved agricultural property designated as Assessor Parcel Block No. 096-0090-005-11; and

WHEREAS, The City acquired the Property in 2019 as part of the SFPUC’s acquisition of the former 786.63-acre Wool Ranch (Former Wool Ranch) for watershed purposes, pursuant to that certain deed recorded on November 13, 2019, in the Official Records of Alameda County; and

WHEREAS, The Property is unimproved, except for a water well and fencing, and is not considered primary watershed land; and
WHEREAS, Even though the City had no use for the Property, it purchased the
Property because the Former Wool Ranch owners would not sell the ranch to the City unless
the City also acquired the Property; and

WHEREAS, Because the SFPUC has no utility purpose for the Property, SFPUC
management proposed to sell the Property to raise needed funds for the SFPUC Water
Enterprise and executed a statement of underutilization for the Property dated January 13,
2020; and

WHEREAS, The noticing requirements of the State Surplus Lands Act (as amended by
Assembly Bill 1486 as of January 1, 2020) are not applicable here because, pursuant to
California Government Code, Section 54221(f)(i)(D), the Property constitutes “exempt surplus
property” as its proposed conveyance will be to another local agency for that local agency’s
use; and

WHEREAS, Per Section 23.3 of the Administrative Code, the City may convey the
Property to the East Bay Regional Park District (Park District) without a competitive bidding
process if the Board of Supervisors determines a competitive process “is impractical,
impossible, or is otherwise not in the public interest, including, for example only and not by
way of limitation, when the Real Property is not capable of independent development, will be
exchanged for other Real Property, or when the Board determines that a negotiated direct
Conveyance of the Real Property will further a public purpose.” (S.F. Admin. Code, Sec.
23.3); and

WHEREAS, By Resolution No. 20-0217, the SFPUC Commission found that, in this
case, a competitive bidding process is impractical because the Property is landlocked by the
Park District’s adjacent lands and there is no possible party other than the Park District to
which the City, through the SFPUC, may convey the Property, and the Commission further
found the conveyance will further a public purpose because the Park District’s adjoining
property is designated as parkland and the Park District intends to integrate the Property into its adjoining parkland; and

WHEREAS, On October 27, 2020, per Commission Resolution No. 20-0217, the SFPUC Commission declared the Property surplus to its utility needs pursuant to Charter, Section 8B.121(e), and approved the terms and conditions of the Agreement for Sale of Real Estate (Sale Agreement), subject to approval by the Board of Supervisors; and

WHEREAS, A City-hired MAI appraiser, Mateo Advisors, LLC, appraised the fair market value of the Property as of March 25, 2020, at $500,000 and the City's Director of Property approved the appraisal on September 24, 2020; and

WHEREAS, On September 3, 2020, the Park District agreed to purchase the Property for $500,000 pursuant to the terms of the Sale Agreement; and

WHEREAS, City, through the SFPUC, will sell the Property to the Park District on an "as is-where is basis;" and

WHEREAS, The City's Planning Department has found that the transactions contemplated by the Sale Agreement are consistent with the City's General Plan, and with the eight priority policies of Planning Code, Section 101.1, a copy of these findings are on file with the Clerk of the Board of Supervisors under File No. 210051, and are incorporated herein by this reference; and

WHEREAS, On October 27, 2020, per Resolution No. 20-0217, the SFPUC Commission determined that this action does not constitute a project under California Environmental Quality Act (CEQA) Guidelines, Section 15378 because there would be no physical change in the environment, and the Board of Supervisors hereby adopts this determination as its own; now, therefore, be it

RESOLVED, That this Board of Supervisors further declares the Property to be "exempt surplus land" under California Government Code, Section 54221(f)(1)(D) because a
"local agency is transferring [the Property] to another local, state, or federal agency for the agency’s use;” and, be it

FURTHER RESOLVED, That this Board of Supervisors further declares that in accordance with Section 23.3 of the Administrative Code, that a competitive bidding process for the conveyance of the Property is impractical and impossible because the Property is landlocked, remote, and thus extremely unlikely to be capable of independent development; and, be it

FURTHER RESOLVED, That this Board of Supervisors further declares that in accordance with Section 23.3 of the Administrative Code, the proposed conveyance will further a public purpose because the Park District’s adjoining property is designated as parkland and the Park District intends to integrate the Property into its adjoining parkland; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby ratifies, approves, and authorizes all actions heretofore taken by any City official in connection with the Sale Agreement; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby approves the terms and conditions of the Sale Agreement; and, be it

FURTHER RESOLVED, That this Board of Supervisors authorizes and directs City’s Director of Property to execute the Deed, and the SFPUC General Manager to execute and deliver the Sale Agreement to the Park District; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby authorizes the City’s Director of Property and/or the SFPUC General Manager to enter into any amendments or modifications to the Deed or the Sale Agreement, including without limitation, the exhibits, that City’s Director of Property and/or the SFPUC General Manager determines, in consultation with the City Attorney, are in the best interest of the City; do not materially increase the
obligations or liabilities of the City; are necessary or advisable to effectuate the purposes and
intent of the Sale Agreement or this Resolution; and are in compliance with all applicable
laws, including the City Charter; and be it

FURTHER RESOLVED, That the Board of Supervisors authorize the SFPUC General
Manager and/or City’s Director of Property to take any and all other steps they, in consultation
with the City Attorney, deem necessary and advisable to effectuate the purpose and intent of
this Resolution; and, be it

FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
executed by all parties, the SFPUC shall provide the final agreement to the Clerk of the Board
for inclusion into the official file.
Resolution authorizing the Director of Property to execute a Quitclaim Deed and the San Francisco Public Utilities Commission (SFPUC) General Manager to execute an Agreement for Sale of Real Estate for the conveyance of real property by the City and County of San Francisco to the East Bay Regional Park District, commonly known as a portion of the Former Wool Ranch, Assessor's Parcel Block No. 096-0090-005-11 (20 acres); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; adopting findings declaring that the real property is "exempt surplus land;" and authorizing the Director of Property and the SFPUC General Manager to execute any documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

February 24, 2021 Budget and Finance Committee - RECOMMENDED

March 02, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210051

I hereby certify that the foregoing Resolution was ADOPTED on 3/2/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved