

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 zero dollars, to accommodate**
7 **the replacement of a natural gas pipeline; authorizing the Airport Director and the**
8 **Director of Property to execute documents, make certain modifications, and take**
9 **actions in furtherance of this Resolution, as defined herein; finding the proposed**
10 **transaction is in conformance with the General Plan, and the eight priority policies of**
11 **Planning Code, Section 101.1; and adopting California Environmental Quality Act**
12 **findings.**

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

21 WHEREAS, Within the Original Easement, PG&E currently operates a 20-inch natural
22 gas transmission line, a portion of which PG&E desires to replace, and the pipeline
23 replacement work contemplated by PG&E will result in the realignment of the new pipeline
24 outside of the Original Easement; and
25

1 WHEREAS, PG&E has agreed to relinquish and quitclaim to the City and County of
2 San Francisco (the "City") the Original Easement as identified in the Exchange Deeds, and
3 City has agreed to grant to PG&E a new easement of the same width in a new alignment to
4 replace the Original Easement (the "New Easement"), at no cost to either party, on the terms
5 and conditions of an Easement Agreement and Quitclaim of Easement ("Agreement"), a copy
6 of which is on file with the Clerk of the Board of Supervisors in File No. 190879; and

7 WHEREAS, On June 5, 2018, by Resolution No. 18-0170, the Airport Commission
8 approved the Agreement and adopted the Final Mitigated Negative Declaration for the PG&E
9 pipeline replacement work, and the Mitigation Monitoring and Reporting Program and
10 Improvement Measures in connection with the work, a copy of which is on file with the Clerk of
11 the Board of Supervisors in File No. 190879; and

12 WHEREAS, The Planning Department, by letter dated October 23, 2018, found that the
13 Agreement is consistent with the General Plan, and the eight priority policies of Planning
14 Code, Section 101.1, which letter is on file with the Clerk of the Board of Supervisors in File
15 No. 190879, and incorporated herein by this reference; and

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

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

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

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

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

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

22 FURTHER RESOLVED, That the Director of Property and the Airport Director are
23 hereby authorized and urged, in the name and on behalf of the City, to take any and all steps
24 (including, but not limited to, the execution and delivery of any and all certificates,
25 agreements, notices, consents, escrow instructions, closing documents and other instruments

1 or documents) as the Director of Property and the Airport Director deem necessary or
2 appropriate in order to consummate the grant of the easement and acceptance of the
3 quitclaim pursuant to the Agreement, or to otherwise effectuate the purpose and intent of this
4 resolution, such determination to be conclusively evidenced by the execution and delivery by
5 the Director of Property and Airport Director of any such documents; and, be it

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

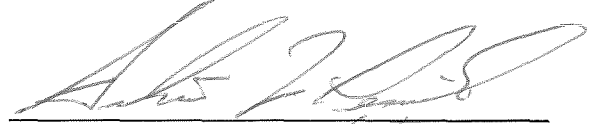
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RECOMMENDED:



Ivar C. Satero
Airport Director
San Francisco Airport Commission



Andrico Q. Penick *8/16/12*
Director of Property
Real Estate Division



City and County of San Francisco

Tails
Resolution

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

File Number: 190879

Date Passed: October 08, 2019

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


October 02, 2019 Budget and Finance Committee - RECOMMENDED

October 08, 2019 Board of Supervisors - ADOPTED


Ayes: 9 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani and Yee
Excused: 2 - Haney and Walton

File No. 190879

I hereby certify that the foregoing
Resolution was ADOPTED on 10/8/2019 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor



Date Approved