[Real Property Acquisition - Easement from Sunol Glen Unified School District - Not to Exceed \$50,000]

Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, for \$35,000 plus an administrative fee of \$5,000 and up to \$10,000 in closing costs, for a total amount not to exceed \$50,000 pursuant to Charter, Section 9.118; the Agreement is effective on the date on which the Agreement is executed by both parties.

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) seeks to replace and realign a section of the SFPUC's Town of Sunol pipeline system as part of Project No. 10033818, Town of Sunol Pipeline (Project); and

WHEREAS, The Town of Sunol pipeline feeds both the potable and fire suppression lines to the Town of Sunol; and

WHEREAS, The Project would install a 12-inch ductile iron water pipeline across Sunol Glen School, located at 11601 Main Street in Sunol, California, designated as a portion of Alameda County Assessor's Parcel No. 096-0155-004-01 (Property); and

WHEREAS, The SFPUC seeks to acquire an approximately 4,008-square-foot easement for the water pipeline and related appurtenances across the Property (Pipeline Easement); and

Public Utilities Commission BOARD OF SUPERVISORS WHEREAS, The Project also requires the acquisition of an approximately 34,834square-foot temporary construction easement (TCE) on the Property; and

WHEREAS, Sunol Glen Unified School District (District) has agreed to sell the Pipeline Easement and TCE to the City and County of San Francisco (City) and both parties desire to enter into a Purchase and Sale Agreement; and

WHEREAS, The SFPUC, through consultation with the Office of the City Attorney, has negotiated with the District the proposed terms and conditions of the City's acquisition of the easement and TCE for a purchase price of \$35,000, plus an administrative fee of \$5,000 and up to \$10,000 in closing costs, as set forth in the form of an Agreement for Purchase and Sale of Real Estate (Agreement) and Easement Deeds to convey easement interests for the Pipeline Easement and TCE (Easement Deeds); and

WHEREAS, On October 30, 2008, the San Francisco Planning Commission certified the Final Program Environmental Impact Report (Program EIR) (Case Number 2005.0159E) for the Water System Improvement Program; and

WHEREAS, On October 30, 2008, by Resolution No. 08-0200, the SFPUC approved the Water System Improvement Program and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, On September 20, 2012, the Planning Commission certified the Final Environmental Impact Report (Final EIR) for the San Antonio Backup Pipeline Project (Case No. 2007.0039E), which is tiered from the Program EIR; and

WHEREAS, On September 25, 2012, by Resolution No. 12-0174, the SFPUC approved the San Antonio Backup Pipeline Project and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the CEQA; and

WHEREAS, On October 25, 2023, the Planning Department issued an Addendum to the Final EIR evaluating the Project to replace an approximately 495-foot-long segment of the

Public Utilities Commission BOARD OF SUPERVISORS

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existing water distribution pipeline that provides potable and firefighting water to the Town of Sunol and prepared a refined Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, The work under this action, including the easement acquisition, is within the scope of the Project authorized under the Final EIR and Addendum; and

WHEREAS, The SFPUC has reviewed and considered the information contained in the Program EIR, Final EIR, the CEQA findings contained in SFPUC Resolution No. 12-0174, the Addendum to the Final EIR, and all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Project; and made findings that the Final EIR and Addendum to the Final EIR are adequate for its use as the decision–making body for the Project and the SFPUC made findings that since the Program EIR and Final EIR as modified by the Addendum were finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to them due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in them; and

WHEREAS, By General Plan Referral, dated July 29, 2024, for Case No. 2007.0039GPR, the San Francisco Planning Department found this action consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1 ("General Plan Findings"), a copy of which is on file with the Clerk of the Board under File No. 240956, which is incorporated herein by this reference; and

WHEREAS, On September 10, 2024, by Resolution No. 24-0192, the SFPUC authorized the General Manager to execute the Agreement and Easement Deeds with the District for the acquisition of a 4,008-square-foot easement for an underground water pipeline

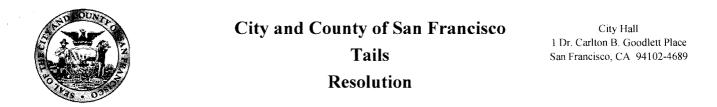
Public Utilities Commission BOARD OF SUPERVISORS and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, California for \$35,000 plus an administrative fee of \$3,500 and up to \$10,000 in closing costs, for a total amount not to exceed \$50,000 pursuant to Charter, Section 9.118; and

WHEREAS, The Agreement is effective on the date on which the Agreement is executed by both parties; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves the terms and conditions, and authorizes the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of the Pipeline Easement and TCE for \$35,000 plus an administrative fee of \$5,000 and up to \$10,000 in closing costs, for a total amount not to exceed \$50,000 pursuant to Charter, Section 9.118; and, be it

FURTHER RESOLVED, That within thirty (30) days of the Purchase and Sale Agreement and Easement Deeds being fully executed by all parties, the General Manager of the SFPUC shall provide the final agreement and deeds to the Clerk of the Board for inclusion in the official file.

Public Utilities Commission BOARD OF SUPERVISORS



File Number: 240956

Date Passed: November 05, 2024

Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, for \$35,000 plus an administrative fee of \$5,000 and up to \$10,000 in closing costs, for a total amount not to exceed \$50,000 pursuant to Charter, Section 9.118; the Agreement is effective on the date on which the Agreement is executed by both parties.

October 30, 2024 Budget and Finance Committee - RECOMMENDED

November 05, 2024 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 240956

I hereby certify that the foregoing Resolution was ADOPTED on 11/5/2024 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