

File No. 110247

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date April 11, 2011

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|---------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Easement Deed |
| * <input checked="" type="checkbox"/> | <input type="checkbox"/> | Memorandum of Agreement |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Utilities Commission Resolution No. 09-0119 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | General Plan Referral Letter, dtd 6/29/09 |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Alisa Somera Date April 7, 2011

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Acceptance of Easement - Stanislaus County - San Joaquin Pipeline System Project]

2
3 **Resolution approving and authorizing an acceptance of an Easement Deed for a**
4 **perpetual exclusive easement for the installation, construction, operation,**
5 **inspection, maintenance, repair, and replacement of water pipelines, utilities and**
6 **related appurtenances in the real property, being a portion of River Road, located in**
7 **Stanislaus County, required for the San Joaquin Pipeline System Project No.**
8 **CUW37301; adopting findings under the California Environmental Quality Act;**
9 **adopting findings that the conveyance is consistent with the City's General Plan and**
10 **Eight Priority Policies of City Planning Code Section 101.1; and authorizing the**
11 **Director of Property to execute documents, make certain modifications, and take**
12 **certain actions in furtherance of this resolution.**

13
14 WHEREAS, The San Francisco Public Utilities Commission ("SFPUC") has
15 developed a project known as the San Joaquin Pipeline System Project (also commonly
16 referred to as the SJPL System Project, Project No.CUW37301, and herein as the
17 "Project"), a water infrastructure project included as part of the Water System Improvement
18 Program ("WSIP"). The Project is located in Tuolumne, Stanislaus, and San Joaquin
19 Counties, beginning at the Oakdale Portal in Tuolumne County, and ending at the Tesla
20 Portal in San Joaquin County. The Project includes, among other related features, the
21 construction of two new facility crossovers (Emery and Pelican), two new throttling stations
22 (MP 50.57 Northeast of Willms Road and MP 55.32), Oakdale Portal improvements
23 including a new valve house, upgrading the discharge valves at Cashman Creek and a new
24 discharge valve at the California Aqueduct, construction of a fourth pipeline segment
25 (Eastern Segment approximately 6.5 miles from Oakdale Portal (MP 49.84) to near Fogarty

1 Road (MP 56.50) and a tie-in vault), construction of a fourth pipeline segment (Western
2 Segment approximately 11 miles from west of the San Joaquin River to Tesla Portal), a
3 new truss bridge aerial structure to carry SJPL No. 4 over the California Aqueduct, and a
4 discharge structure at the Pelican Crossover involving intermittent drainage to the San
5 Joaquin River, and discharge of water to U.S. Fish and Wildlife Service San Joaquin River
6 National Wildlife Refuge, to irrigate a managed wetland area; and

7 WHEREAS, the objectives of the Project are to improve delivery reliability and
8 provide operational flexibility during maintenance activities or unplanned outages, as well
9 as to replenish local reservoirs after such events; and

10 WHEREAS, The Project is an improvement facility project approved by the SFPUC as
11 part of the Water System Improvement Program ("WSIP"); and

12 WHEREAS, A Final Program Environmental Impact Report ("PEIR") was prepared for
13 the WSIP and certified by the Planning Commission on October 30, 2008 by Motion No.
14 17734; and

15 WHEREAS, Thereafter the SFPUC approved the WSIP and adopted findings and a
16 Mitigation Monitoring and Reporting Program as required by the California Environmental
17 Quality Act ("CEQA") on October 30, 2008 by Resolution No. 08-0200; and

18 WHEREAS, an environmental impact report ("EIR") as required by CEQA was
19 prepared for the Project in Planning Department File No. 2007.01 18E; and

20 WHEREAS, The Final EIR ("FEIR") for the Project was certified by the San
21 Francisco Planning Commission on July 9, 2009 by Motion No. 17917; and

22 WHEREAS, The FEIR prepared for the Project is tiered from the PEIR, as
23 authorized by and in accordance with CEQA and the CEQA Guidelines; and

24 WHEREAS, On July 14, 2009, the San Francisco Public Utilities Commission
25 (SFPUC), by Resolution No. 09-0119, a copy of which is included in Board of Supervisors

1 File No. 090980 and which is incorporated herein by this reference: (1) approved the
2 Project; (2) adopted findings (CEQA Findings), including the statement of overriding
3 considerations, and a Mitigation Monitoring and Reporting Program ("MMRP") required by
4 CEQA; (3) authorized the General Manager to negotiate with Stanislaus County regarding
5 the issuance of permits and other related agreements or instruments necessary or
6 desirable in connection with the Project, and (4) authorized the General Manager to seek
7 the Board of Supervisors' approval of and, if approved, to execute certain necessary
8 agreements and deeds, which the SFPUC staff will pursue and submit to the Board of
9 Supervisors at a later date; and

10 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No.
11 09-0119 have been made available for review by the Board and the public, and those files
12 are considered part of the record before this Board; and

13 WHEREAS, The Board of Supervisors has reviewed and considered the information
14 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 09-0119, and all
15 written and oral information provided by the Planning Department, the public, relevant
16 public agencies, SFPUC and other experts and the administrative files for the Project; and

17 WHEREAS, This Board, by Resolution No. 369-09 adopted on September 22, 2009,
18 a copy of which is on file with the Clerk of the Board of Supervisors in File No. 090980 and
19 which is incorporated herein by this reference and considered part of the record before this
20 Board, adopted findings under CEQA related to the Project, including the statement of
21 overriding considerations and the MMRP; and

22 WHEREAS, In connection with the Project and pursuant to the authority provided for
23 in SFPUC Resolution No. 09-0119, the General Manager has negotiated a Memorandum of
24 Agreement between the City and Stanislaus County (the "MOA"), a copy of which is on file
25 with the Clerk of the Board of Supervisors under File No. 110247; which is

1 incorporated herein by reference and is considered part of the record before this Board;
2 and

3 WHEREAS, Pursuant to the terms and conditions of the MOA, Stanislaus County
4 will grant to City a perpetual, exclusive easement for the installation, construction,
5 operation, inspection, maintenance, repair and replacement of water pipelines, utilities and
6 related appurtenances in real property located under and across River Road in Stanislaus
7 County, and

8 WHEREAS, A copy of the proposed Easement Deed (the "Easement Deed")
9 between Stanislaus County, as Grantor, and the City, as Grantee, is on file with the Clerk of
10 the Board of Supervisors under File No. 110247; which is incorporated
11 herein by reference and is considered part of the record before this Board; and

12 WHEREAS, The Director of Planning, by letter dated June 29, 2009, found that the
13 purchase of all the necessary property rights for the Project, is consistent with the City's
14 General Plan and with the Eight Priority Policies of City Planning Code Section 101.1,
15 which letter is on file with the Clerk of the Board of Supervisors under File No. 090980, and
16 which letter is incorporated herein by this reference; now, therefore, be it

17 RESOLVED, The Board has reviewed and considered the FEIR and record as a whole,
18 finds that the FEIR is adequate for its use as the decision making body for the action taken
19 herein and hereby incorporates by reference the CEQA findings contained in Resolution No.
20 369-09; and, be it

21 FURTHER RESOLVED, The Board finds that the Project mitigation measures adopted
22 by the SFPUC will be implemented as reflected in and in accordance with the MMRP; and, be
23 it

24 FURTHER RESOLVED, The Board finds that since the FEIR was finalized, there
25 have been no substantial project changes and no substantial changes in the Project

1 circumstances that would require major revisions to the FEIR due to the involvement of
2 new significant environmental effects or an increase in the severity of previously identified
3 significant impacts, and there is no new information of substantial importance that would
4 change the conclusions set forth in the FEIR; and, be it

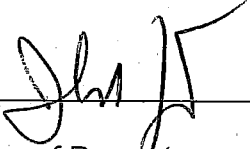
5 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
6 San Francisco hereby finds that the easement to be conveyed to City pursuant to the
7 Easement Deed is consistent with the General Plan and with the Eight Priority Policies of
8 city planning Code Section 101.1 for the same reasons as set forth in the letter of the
9 Director of Planning dated June 29, 2009, and hereby incorporates such findings by
10 references as though fully set forth in this resolution; and, be it

11 FURTHER RESOLVED, That in accordance with the recommendations of the Public
12 Utilities Commission and the Director of Property, the Board of Supervisors hereby
13 approves the Easement Deed and the transaction contemplated thereby in substantially the
14 form of such instrument presented to this Board; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
16 Property to enter into any additions, amendments or other modifications to the Easement
17 Deed (including, without limitation, the attached exhibits) that the Director of Property
18 determines are in the best interest of the City, that do not increase the consideration for the
19 road easements or otherwise materially increase the obligations or liabilities of the City, and
20 are necessary or advisable to complete the transaction contemplated in the Easement
21 Deed and effectuate the purpose and intent of this resolution, such determination to be
22 conclusively evidenced by the execution and delivery by the Director of Property of the
23 Easement Deed and any amendments thereto; and, be it

1 FURTHER RESOLVED, That the Director of Property is hereby authorized and
2 urged, in the name and on behalf of the City and County, to accept the Easement Deed
3 from Stanislaus County upon the closing in accordance with the terms and conditions of the
4 MOA and the Easement Deed, and to take any and all steps (including, but not limited to,
5 the execution and delivery of any and all certificates, agreements, notices, consents,
6 escrow instructions, closing documents and other instruments or documents) as the
7 Director of Property deems necessary or appropriate in order to consummate the
8 conveyance of the easement pursuant to the MOA or the Easement Deed, or to otherwise
9 effectuate the purpose and intent of this resolution, such determination to be conclusively
10 evidenced by the execution and delivery by the Director of Property of any such
11 documents.

12
13
14 RECOMMENDED:

15 
16 _____
17 John Updike
18 Acting Director of Property
19
20
21
22
23
24
25

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Director of Property
Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102
The undersigned hereby declares this
instrument to be exempt from Recording Fees
(Govt. Code § 27383) and Documentary
Transfer Tax (Rev. & Tax. Code §11922).

(Space above this line reserved for Recorder's use only)

EASEMENT DEED

(Assessor's Parcel No. _____)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the COUNTY OF STANISLAUS, a political subdivision of the State of California ("**Grantor**"), hereby grants to the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation ("**CCSF**"), a perpetual, exclusive easement for the installation, construction, operation, inspection, maintenance, repair, and replacement of water pipelines, utilities, and related appurtenances ("**CCSF's Improvements**") in the real property located in Stanislaus County, State of California, described on the attached Exhibit A (the "**Easement Area**") and depicted in the diagram attached as Exhibit B.

Grantor shall retain such rights and privileges to use the surface of the Easement Area as are not inconsistent with this easement subject to the following conditions, covenants, and restrictions:

1. No Structures or Improvements. Grantor shall not do anything in, on, under, or about the Easement Area that could cause damage or interference to CCSF's Improvements. Without limiting the foregoing, Grantor agrees that no structures or improvements of any kind or character shall be constructed or placed, and no excavation shall occur, on the Easement Area without the prior, written consent of CCSF, except as set forth in paragraph 2 below
2. Retained Surface Uses. Grantor reserves the right to construct and maintain the following over and across the surface of the Easement Area: roads and streets and other improvements (collectively, "**Grantor's Improvements**") that will not interfere with, damage, or endanger CCSF's Improvements. Grantor also reserves the right to plant shrubs and other vegetation that will not interfere with, damage, or endanger CCSF's Improvements and that comply with the San Francisco Public Utilities Commission's Right of Way Integrated Vegetation Management Policy (as it may be amended, modified, or replaced from time to time), provided that no trees of any kind will be planted, cultivated, or maintained upon the Easement Area. The ground surface of all fills placed on the Easement Area by Grantor shall not be less than three (3) feet or more than five (5) feet above the top of CCSF's Improvements.
3. Access. CCSF and its agents shall have the right at all times to inspect CCSF's Improvements and the Easement Area. CCSF shall also have the right of ingress and egress from the Easement Area across adjacent lands of Grantor over any available roadways or such

routes as may be agreed upon, to the extent necessary for the convenience of CCSF in the enjoyment of its rights hereunder.

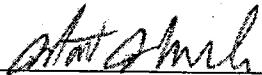
4. Heavy Vehicles and Equipment; Damage to Improvements. Grantor shall take reasonable care to avoid damaging CCSF's Improvements. To prevent any such damage, Grantor shall not use heavy vehicles or equipment during construction, or any vibrating compacting equipment, within thirty feet (30') of each side of the centerline of CCSF's Improvements (measured on the surface) without CCSF's prior, written approval. If at any time CCSF damages Grantor's Improvements because of its exercise of its rights under and pursuant to this Easement, including its rights to install, construct, maintain, and operate CCSF's Improvements, CCSF shall promptly restore Grantor's Improvements to their condition immediately prior to such damage. If Grantor damages CCSF's Improvements, CCSF may take necessary action to restore CCSF's Improvements to their condition immediately prior to such damage, and Grantor shall reimburse CCSF for its actual and reasonable restoration costs.

5. Run with the Land. The rights and obligations set forth herein shall run with the land, and shall bind and inure to the benefit of the heirs and successors of the parties hereto. The provisions, covenants, conditions, and easement provided in this instrument shall be covenants running with the land pursuant to California Civil Code Sections 1468 and 1471, and shall burden and benefit every person having an interest in the Easement Area. Any reference to Grantor herein shall include Grantor's agents and all successor owners of all or any part of the Easement Area.

6. Counterpart Signatures. This Easement Deed may be executed in counterparts, each of which shall be an original, but all counterparts shall constitute one instrument.

Executed as of this 10th day of January, 2011.

COUNTY OF STANISLAUS,
a political subdivision of the State of California

By: 
Matt Machado, Director
Department of Public Works


ACCEPTED:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation, acting by and through its
Public Utilities Commission

By: _____
PUC General Manager

PUC Resolution _____
Dated: _____, 20__

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney
By: 
Richard Handley
Deputy City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Stanislaus)

On January 10, 2011 before me, Keimi Espinoza, Notary Public
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

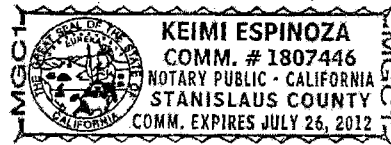
personally appeared, Matt Machado

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Keimi Espinoza (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Easement Deed: River Road

DATE OF DOCUMENT _____ NUMBER OF PAGES Nine

SIGNERS(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this deed dated _____ from the first part to the City and County of San Francisco, is hereby accepted pursuant to Board of Supervisors' Resolution No. _____, approved _____, 20__, and the grantee consents to recordation thereof by its duly authorized officer.

Dated _____ By _____
Director of Property

**EXHIBIT A TO EASEMENT
EASEMENT AREA LEGAL DESCRIPTION**



**ENGINEERS
SURVEYORS
PLANNERS**

April 13, 2009

**Exhibit "A"
LEGAL DESCRIPTION**

All that real property situate in the County of Stanislaus, State of California, being a portion of River Road (66 feet wide), more particularly described as follows:

BEGINNING at the northwesterly corner of Parcel 1 as said Parcel 1 is described in that certain Deed of Right of Way recorded January 7, 1924, in Book 51 at Page 72, Official Records of said County;

thence along the westerly line of said Parcel 1, South 23°33'35" East (North 23°52' West), 111.93 feet to the southwesterly corner of said Parcel 1;

thence South 77°05'53" West, 67.16 feet to southeasterly corner of Parcel 2 as said Parcel 2 is described in said Deed of Right of Way;

thence along the easterly line of said Parcel 2, North 23°33'35" West (South 23°52' East), 111.93 feet to the northeasterly corner of said Parcel 2;

thence North 77°05'53" East, 67.16 feet to the **POINT OF BEGINNING**.

Containing 7,387square feet or 0.17 acres, more or less.

All bearings and distances shown on this Exhibit are based upon the North American Datum of 1983 (NAD 83), California Coordinate System, Zone III, Epoch 1991.35. All distances shown hereon are grid distances. To convert to ground distance, multiply expressed distances by 1.00007398. Areas shown are calculated using grid distances. To convert to ground area, multiply the expressed area by 1.00014797.

A plat showing the above-described parcel is attached herein and made a part hereof as Exhibit "B".

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors' Act.

Michael A. Shoup 04.13.09

Michael A. Shoup, PLS 7616
License Expires 12/31/2010



END OF DESCRIPTION

255 Shoreline Drive
Suite 200
Redwood City
California 94065
phone 650.482.6300
fax 650.482.6399
www.bkf.com

**EXHIBIT B TO EASEMENT
DIAGRAM OF EASEMENT AREA**

NOTE:

All bearings and distances shown on this Exhibit are based upon the North American Datum of 1983 (NAD 83), California Coordinate System, Zone 3, Epoch 1991.35. All distances shown hereon are grid distances unless otherwise noted. To convert to ground distance, multiply expressed distances by 1.00007398. Areas shown are calculated using grid distances. To convert to ground area, multiply the expressed area by 1.00014797.

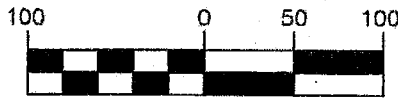
EXHIBIT "B"

RECORD REFERENCES

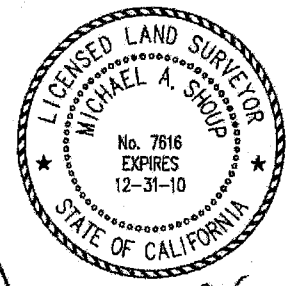
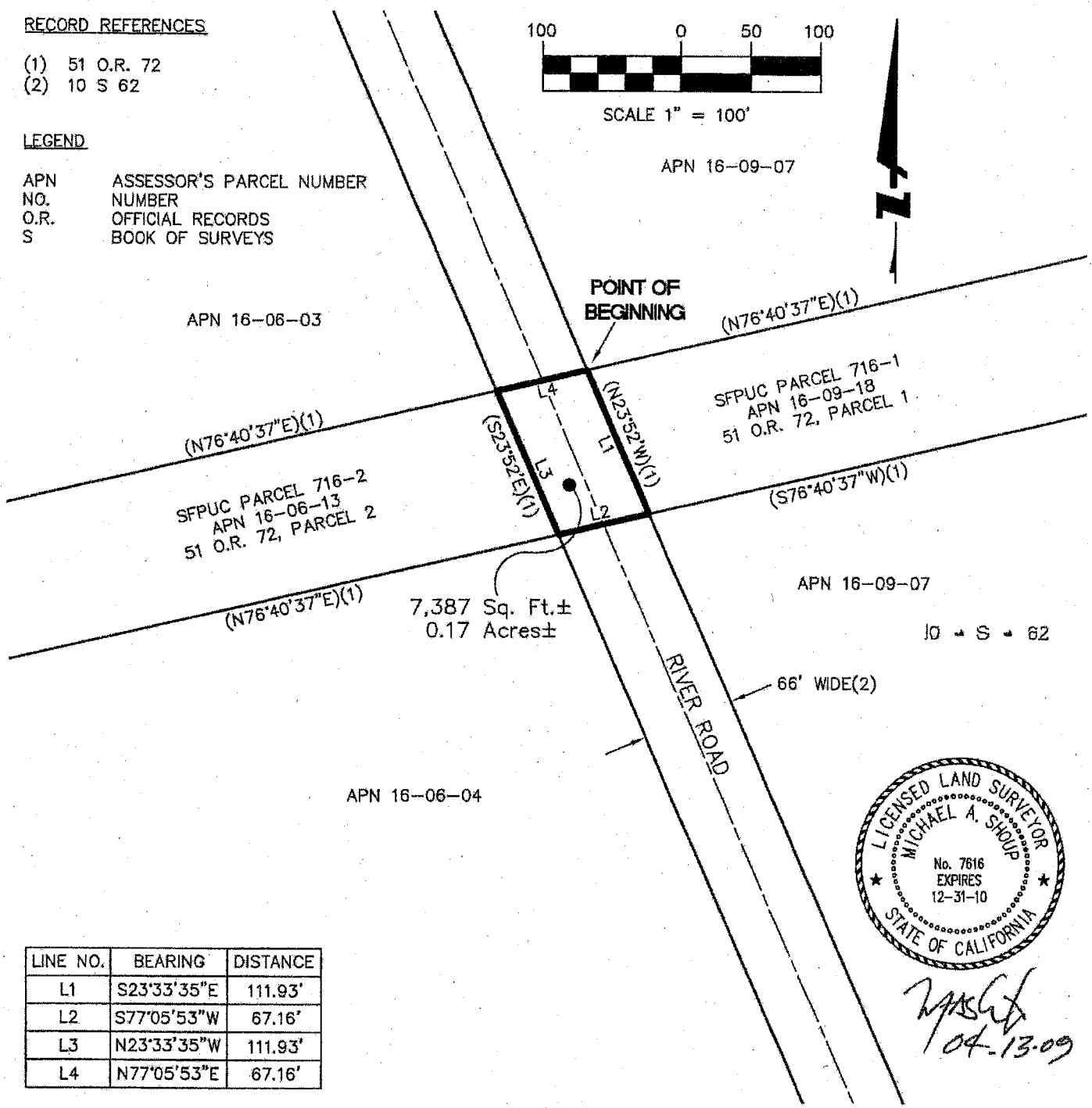
- (1) 51 O.R. 72
- (2) 10 S 62

LEGEND

APN ASSESSOR'S PARCEL NUMBER
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S BOOK OF SURVEYS



SCALE 1" = 100'



Michael A. Shoup
 04-13-09

LINE NO.	BEARING	DISTANCE
L1	S23°33'35"E	111.93'
L2	S77°05'53"W	67.16'
L3	N23°33'35"W	111.93'
L4	N77°05'53"E	67.16'

COUNTY OF STANISLAUS
 STATE OF CALIFORNIA

J:\Sur06\060212-07\Counties\Stanislaus\Add'l Easements\Easement across River Road\Easement across River Road Plat.dwg



255 SHORELINE DR
 SUITE 200
 REDWOOD CITY, CA 94065
 650-482-6300
 650-482-6399 (FAX)

Subject **Exhibit "B"**
EASEMENT ACROSS RIVER ROAD
 Job No. **20060212-06**
 By **AMC** Date **04-13-09** Chkd. **MAS**
 SHEET **1** OF **1**



**ENGINEERS
SURVEYORS
PLANNERS**

Easement across River Road Closure.doc

Parcel name: EA across River Rd

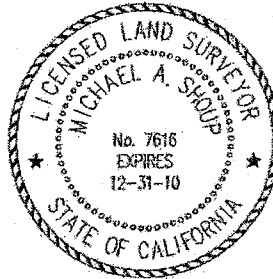
North: 2052480.1090 East : 6346950.9416
 Line Course: S 23-33-35 E Length: 111.93
 North: 2052377.5091 East : 6346995.6806
 Line Course: S 77-05-53 W Length: 67.16
 North: 2052362.5134 East : 6346930.2161
 Line Course: N 23-33-35 W Length: 111.93
 North: 2052465.1133 East : 6346885.4772
 Line Course: N 77-05-53 E Length: 67.16
 North: 2052480.1090 East : 6346950.9416

Perimeter: 358.18 Area: 7,387 sq.ft. 0.17 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
 Error North: 0.00000 East : 0.00000
 Precision 1: 358,180,000.00

WAS
04-13-09



255 Shoreline Drive
 Suite 200
 Redwood City
 California 94065
 phone 650.482.6300
 fax 650.482.6399
 www.bkf.com

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2011 MAR 11 AM 9:10

BY RC

MEMORANDUM OF AGREEMENT
between the
CITY AND COUNTY OF SAN FRANCISCO
acting through its
PUBLIC UTILITIES COMMISSION,
and the
COUNTY OF STANISLAUS

(San Joaquin Pipeline System Project)

This Memorandum of Agreement ("MOA"), dated for reference purposes only September 21, 2010, is made by and between the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("CCSF") and the COUNTY OF STANISLAUS, a political subdivision of the State of California ("County").

RECITALS

- A. CCSF, acting by and through its Public Utilities Commission ("SFPUC") owns and operates a regional water system that serves San Francisco and twenty-six (26) wholesale water customers, in the Bay Area.
- B. CCSF's water system includes San Joaquin Pipeline 1, 2, and 3, which are located in CCSF's right of way that is situated in part within the limits of County as shown approximately on attached Exhibit A.
- C. CCSF has developed a Water System Improvement Program ("WSIP") with the goals of increasing the system's ability to withstand major seismic events and prolonged droughts and to reliably meet future water demands. As part of WSIP, CCSF proposed the San Joaquin Pipeline System Project (the "Project"), which includes, among other improvements, installation of a new pipeline, the repair and replacement of portions of the existing San Joaquin Pipelines in CCSF's right of way, for the purpose of improving the seismic reliability, water delivery, and drought-management goals outlined in WSIP.
- D. County and CCSF have been working cooperatively to identify and address their respective requirements and concerns relating to the construction of the portion of the Project located within County's boundaries.
- E. On December 10, 2008, CCSF published a Draft Environmental Impact Report ("DEIR") for the Project. After the close of a forty-five (45)-day public review period on January 26, 2009, CCSF prepared responses to comments on environmental issues received at the public hearings and in writing during the public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document ("C&R"), published on May 21, 2009. A Final Environmental Impact Report ("FEIR") was prepared by CCSF's Planning Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the Comments and Responses document, and several Errata Sheets, which made minor clerical corrections. Project files on the FEIR are available for public review at the CCSF Planning Department offices at 1650 Mission Street, San Francisco, California. Copies of the DEIR and associated reference materials as well as the C&R are also available for review at public libraries in San Francisco, Stanislaus, San Joaquin, and Tuolumne counties.
- F. On July 9, 2009, the San Francisco Planning Commission, acting as lead agency on behalf of the CCSF, certified the FEIR. On July 14, 2009, the SFPUC approved the Project, and, in so doing, adopted findings under the California Environmental Quality Act

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 09-0119

WHEREAS, San Francisco Public Utilities Commission ("SFPUC") staff have developed a project description for Project No. CUW37301 San Joaquin Pipeline System Project ("SJPL" or "Project") under the Water System Improvement Program ("WSIP") for the improvements to the regional water supply system, and

WHEREAS, The objectives of the Project are to provide for a SJPL System flow of 313 million gallons per day (mgd) with all pipelines in service, and an average flow of 271 mgd when any one segment of the system is taken out of service for maintenance or repairs, or during an emergency, and to meet current customer demands as well as replenish local reservoirs to allow for maintenance activities and for the capability of removing any second pipeline segment from service, after any other segment has already been removed from service for maintenance, without discontinuing deliveries; and

WHEREAS, On July 9, 2009, the Planning Commission reviewed and considered the Final Environmental Impact Report ("Final EIR") in Planning Department File No. 2007.0118E, consisting of the Draft EIR, the Comments and Responses document (including a Supplement to the Comments and Responses Document) and an Errata Sheet dated July 1, 2009, and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and found further that the Final EIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate, and objective, and that the Comments and Responses document contains no significant revisions to the Draft EIR, and certified the completion of said Final EIR in compliance with CEQA and the CEQA Guidelines in its Motion No. 17198; and

WHEREAS, This Commission has reviewed and considered the information contained in the Final EIR, 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 the EIR; and

WHEREAS, The Project and Final EIR files have been made available for review by the SFPUC and the public, in File No. 2007.0118E, at 1650 Mission Street, Fourth Floor, San Francisco, California, and those files are part of the record before this Commission; and

WHEREAS, SFPUC staff prepared proposed findings, as required by CEQA, ("CEQA Findings") and a proposed Mitigation, Monitoring, and Reporting Program ("MMRP"), which material was made available to the public and this Commission for the Commission's review, consideration and action; and

WHEREAS, The Project is a capital improvement project approved by this Commission as part of the Water System Improvement Program (WSIP); and

WHEREAS, A Final Program EIR (PEIR) was prepared for the WSIP and certified by the Planning Commission on October 30, 2008 by Motion No. 17734; and

WHEREAS, Thereafter, this Commission approved the WSIP and adopted findings and a MMRP as required by CEQA on October 30, 2008 by Resolution No. 08-200; and

WHEREAS, The Final EIR prepared for the Project is tiered from the PEIR, as authorized by and in accordance with CEQA and the CEQA Guidelines; and

WHEREAS, The PEIR has been made available for review by the SFPUC and the public, and is part of the record before this Commission; and

WHEREAS, The SFPUC staff will comply with Government Code Section 7260 *et seq.* statutory procedures for possible acquisition of interests in real property (temporary or permanent) in: (1) Assessor's Parcel #010-015-062 owned by Ardis Family Partnership, (2) Assessor's Parcel #010-041-026 owned by Emilio Moran, (3) Assessor's Parcel #016-002-014 owned by Frank M. Bettencourt, (4) Assessor's Parcel #016-009-008 owned by Henry Bettencourt, (5) Assessor's Parcel #255-070-08 owned by Clifford W. & Onalee J. Koster, (6) Assessor's Parcel #253-280-03 owned by Triangle Properties, Inc., (7) Assessor's Parcel #011-013-006 owned by Willms Ranch, LLC, (8) Assessor's Parcel #011-013-011 owned by Willms Ranch, LLC, (9) Assessor's Parcel #011-001-028 owned by Richard B. and Alida C. Ardis, (10) Assessor's Parcel #016-002-017 owned by James W. Lopes, (11) Assessor's Parcel #016-002-018 owned by James W. Lopes, (12) Assessor's Parcel # 016-002-044 owned by James W. Lopes, (13) Assessor's Parcel #253-170-05 owned by Garry & Christine DeWolfe, (14) Assessor's Parcel #253-17-06-05 owned by Garry & Christine DeWolfe, (15) Assessor's Parcel #016-002-048 owned by Angela Bogetti-Dumlao, (16) Assessor's Parcel #016-002-012 owned by Gary Oosterkamp, (17) Assessor's Parcel #016-022-014 owned by Frank M. Bettencourt, and (18) Assessor's Parcel #253-270-24 owned by Tracy Golf and Country Club. The total combined purchase price of all such possible acquisitions is estimated to not exceed \$700,000; and

WHEREAS, The Project work is primarily located within the City-owned SFPUC right of way, however, several private or public property owners hold easement interests in portions of the right of way, including El Solyo Water District, Shell Oil, Standard/Chevron Oil, and California Department of Water Resources (California Aqueduct) and it may be necessary for the Project for the General Manager to negotiate and enter into agreements with respect to those easement interests; and

WHEREAS, SFPUC has issued leases, permits, or licenses to certain parties, to use for various purposes, portions of City-owned property along the SFPUC right of way where the Project work will occur, and in some instances, there is apparent use of City-owned property by other parties for which there is no evidence of SFPUC authorization, and it may be necessary for the Project for the General Manager to (a) exercise rights under any such deed, lease, permit, or license or (b) negotiate and execute new or amended lease, permit, license, or encroachment removal agreements (each, a "Use Instrument") with owners or occupiers of property interests on, or adjacent to, City property, including West Stanislaus Irrigation District, Blewett Mutual Water District, PAR Country Estates, Chevron/Getty/Tide Water Oil, Standard/Chevron Oil, and Tracy Golf and Country Club, or other property owners or occupiers of land on, or adjacent to, the SFPUC right of way; and

WHEREAS, The Project will require the SFPUC to obtain various necessary permits and encroachment permits from San Joaquin and Stanislaus Counties, which permits shall be consistent with SFPUC existing fee or easement interests, where applicable, and will include terms and conditions including, but not limited to, maintenance, repair, and relocation of improvements and, possibly, indemnity obligations; and

WHEREAS, The SFPUC intends to obtain a permit or enter into an agreement with the U.S. Fish and Wildlife Service for intermittent discharge (e.g., maintenance, emergency) of water from the Pelican Crossover facility to San Joaquin National Wildlife Refuge facilities; and

WHEREAS, The Project will require the SFPUC to augment or amend its existing easement rights, with respect to the proposed fourth pipeline crossing of Union Pacific Railroad (UPRR) land at UPRR milepost 93.61 in San Joaquin County, and, pending such amendment, enter into a pipeline crossing agreement with respect to such location with UPRR; and

WHEREAS, The Project will require the SFPUC to obtain a permanent easement from Stanislaus County across River Road in Stanislaus County; and

WHEREAS, Implementation of the Project mitigation measures will involve consultation with, or required approvals by, state and federal regulatory agencies, including but not limited to the following: U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, National Marine Fisheries Service, California Department of Transportation, State Historic Preservation Officer, California Department of Fish and Game, and Central Valley Regional Water Quality Control Board; now, therefore, be it

RESOLVED, This Commission has reviewed and considered the Final EIR, finds that the Final EIR is adequate for its use as the decision-making body for the actions taken herein, and hereby adopts the CEQA Findings, including the Statement of Overriding Considerations, attached hereto as Attachment A and incorporated herein as part of this Resolution by this reference thereto, and adopts the MMRP attached to this Resolution as Attachment B and ~~incorporated herein as part of this Resolution by this reference thereto, and authorizes a request~~ to the Board of Supervisors to adopt the same CEQA Findings, Statement of Overriding Considerations and MMRP; and be it

FURTHER RESOLVED, That this Commission hereby approves Project No. CUW37301, San Joaquin Pipeline System Project, and authorizes staff to proceed with actions necessary to implement the Project; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the SFPUC General Manager to undertake the process, in compliance with Government Code Section 7260 et seq., with the San Francisco Charter and all applicable laws, for possible acquisition of interests in real property (temporary or permanent) in: 1) Assessor's Parcel #010-015-062 owned by Ardis Family Partnership, (2) Assessor's Parcel #010-041-026 owned by Emilio Moran, (3) Assessor's Parcel #016-002-014 owned by Frank M. Bettencourt, (4) Assessor's Parcel #016-009-008 owned by Henry Bettencourt, (5) Assessor's Parcel #255-070-08 owned by Clifford W. & Onalee J. Koster, (6) Assessor's Parcel #253-280-03 owned by Triangle Properties, Inc. (7) Assessor's Parcel #011-013-006 owned by Willms Ranch, LLC, (8) Assessor's Parcel #011-013-011 owned by Willms Ranch, LLC, (9) Assessor's Parcel #011-001-028 owned by Richard B. and Alida C. Ardis, (10) Assessor's Parcel #016-002-017 owned by James W. Lopes, (11) Assessor's Parcel #016-002-018 owned by James W. Lopes, (12) Assessor's Parcel # 016-002-044 owned by James W. Lopes, (13) Assessor's Parcel #253-170-05 owned by Garry & Christine DeWolfe, (14) Assessor's Parcel #253-17-06-05 owned by Garry & Christine DeWolfe, (15) Assessor's Parcel #016-002-048 owned by Angela Bogetti-Dumlao, (16) Assessor's Parcel #016-002-012 owned by Gary Oosterkamp, (17) Assessor's Parcel #016-022-014 owned by Frank M. Bettencourt, and (18) Assessor's Parcel #253-270-24 owned by Tracy Golf and Country Club, and to work with the Director of Real Estate to seek Board of Supervisors' approval of, and if approved, to accept and execute final agreements, and any other related documents necessary to consummate the transactions contemplated therein, in such form approved by the City Attorney; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to negotiate and subject to any applicable approvals, enter into agreements, if necessary for the Project, with parties holding existing easement interests on City property, including El Solyo Water District, Shell Oil, Standard/Chevron Oil, and California Department of Water Resources

(California Aqueduct) in a form that the General Manager determines is in the public interest and is acceptable, necessary, and advisable to effectuate the purposes and intent of this Resolution, and in compliance with the Charter and all applicable laws, and in such form approved by the City Attorney; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to exercise any right as necessary under any Use Instrument and negotiate and execute new or amended Use Instruments, if necessary for the Project, with owners or occupiers of property interests on, or adjacent to, the SFPUC right of way, including West Stanislaus Irrigation District, Blewett Mutual Water District, PAR Country Estates, Chevron/Getty/Tide Water Oil, Standard/Chevron Oil, and Tracy Golf and Country Club, in a form that the General Manager determines is in the public interest and is acceptable, necessary, and advisable to effectuate the purposes and intent of this Resolution, and in compliance with the Charter and all applicable laws, and in such form approved by the City Attorney; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager, or his designee, to apply for and execute various necessary permits and encroachment permits with the San Joaquin and Stanislaus Counties, which permits shall be consistent with SFPUC's existing fee or easement interests, where applicable. To the extent that the terms and conditions of the permits will require SFPUC to indemnify the respective jurisdictions, those indemnity obligations are subject to review and approval by the San Francisco Risk Manager. The General Manager is authorized to agree to such terms and conditions, including but not limited to those relating to maintenance, repair, and relocation of improvements, that are in the public interest, and, in the judgment of the General Manager, in consultation with the City Attorney, are reasonable and appropriate for the scope and duration of the requested use as necessary for the Project; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the SFPUC General Manager to negotiate and, if necessary, to seek Board of Supervisors' approval of, and, if approved, accept and execute a permit or agreement with the U.S. Fish and Wildlife Service with respect to intermittent discharge of water into San Joaquin National Wildlife Refuge facilities, in such form approved by the City Attorney. To the extent that the terms and conditions will require SFPUC to indemnify other parties, those indemnity obligations are subject to review and approval by the San Francisco Risk Manager. The General Manager is authorized to agree to such terms and conditions that are in the public interest, and, in the judgment of the General Manager, in consultation with the City Attorney, are reasonable and appropriate for the scope and duration of the requested use as necessary for the Project; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the SFPUC General Manager to negotiate and seek Board of Supervisors' approval of, and if approved, to accept and execute an amended easement deed and, pending such acceptance and execution, a pipeline crossing agreement and any other related documents necessary to consummate the transactions contemplated therein, with UPRR, in such form approved by the City Attorney, with respect to the proposed pipeline crossing at UPRR milepost 93.61 in San Joaquin County; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the SFPUC General Manager to undertake the process, in compliance with Government Code Section 7260 *et seq.*, the San Francisco Charter, and all applicable laws, to seek Board of Supervisors' approval of, and if approved, to accept and execute an easement deed and any other related documents necessary to consummate the transactions contemplated therein, in such form approved by the City Attorney, for acquisition of a permanent easement from Stanislaus County across River Road in Stanislaus County; and be it

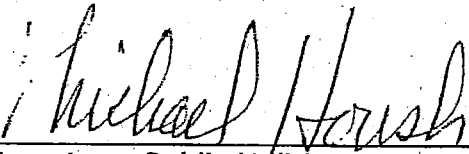
FURTHER RESOLVED, The General Manager will confer with the Commission during the negotiation process on real estate agreements as necessary, and report to the Commission on all agreements submitted to the Board of Supervisors for approval; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to consult with, or apply for, and, if necessary, seek Board of Supervisors' approval, and if approved, to accept and execute permits or required approvals by state and federal regulatory agencies, including but not limited to: U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, National Marine Fisheries Service, California Department of Transportation, State Historic Preservation Officer, California Department of Fish and Game, and Central Valley Regional Water Quality Control Board, including terms and conditions that are within the lawful authority of the agency to impose, in the public interest, and, in the judgment of the General Manager, in consultation with the City Attorney, are reasonable and appropriate for the scope and duration of the requested permit or approval, as necessary for the Project; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to work with the Director of Real Estate to seek Board approval, and if approved, to accept and execute the real property agreements authorized herein; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to enter into any subsequent additions, amendments, or other modifications to the permits, licenses, encroachment removal agreements, pipeline crossing agreements, leases, easements, and other real property agreements, or amendments thereto, as described herein, that the General Manager, in consultation with the Commercial Land Manager and the City Attorney, determines are in the best interests of the SFPUC and the City, do not materially decrease the benefits to the SFPUC or the City, and do not materially increase the obligations or liabilities of the SFPUC or the City, such determination to be conclusively evidenced by the execution and delivery of any such additions, amendments, or other modifications.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 14, 2009



Secretary, Public Utilities Commission



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

June 29, 2009

Ms. Amy L. Brown
Director of Real Estate
Real Estate Division
Department of Administrative Services
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: Case No. 2009.0202R
Right of Way Acquisitions –
SF Public Utilities Commission (PUC)
PUC San Joaquin Pipeline Project

Dear Ms. Brown:

The Department received your request, dated March 12, 2009, for a General Plan Referral as required by Section 4.105 of the San Francisco Charter, and Section 2A.53 of the San Francisco Administrative Code. The project is the proposed acquisition of temporary and permanent easements from several private and municipal property owners. The Public Utilities Commission (PUC) proposes to acquire easements on 16 parcels, located in Stainslaus and San Joaquin counties. Acquisition of the temporary and permanent easements is, on balance, in conformity with the San Francisco General Plan.

Project Description

The primary goal of the project is to improve the reliability of water delivery, quality and supply and drought management and seismic reliability per the SFPUC's Water System Improvement Program. The San Joaquin Pipeline Project (SJPL) will consist of constructing two new crossover facilities, installation of pipelines, and the construction of a new vault. The project construction is anticipated to impact several private and municipal properties. Temporary Construction Easements and Staging Areas and Temporary and Permanent access roads will be needed.

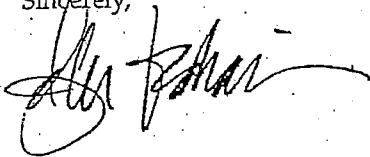
Environmental Review

The Department has determined that the proposed easement acquisition is Categorical Exempt from Environmental Review pursuant to CEQA Guidelines, Section 15060(c)(2).

Memo

A case report listing relevant General Plan Objectives and Policies is included as Attachment 1. The project has also been reviewed for consistency with the Eight Priority Policies of Section 101.1 of the Planning Code, included as Attachment 2.

Sincerely,



John Rahaim
Director of Planning

cc: Brian Morelli, PUC ✓
cc: Gary Tom, Real Estate Division, Accounting
cc: Kathy Wood, ARWS
cc: Claudia Flores, Planning Department

Attachments:

1. General Plan Case Report
2. Eight Priority Policies Findings- Planning Code Section 101.1
3. Exhibit A - Private and Municipal Properties Potentially Impacted by Project

I:\Citywide\General Plan\General Plan Referrals\2009\2009.0202R San Joaquin pipeline - PUC easements acquire - SJ and Stanislaus Counties.doc

Case Number: 2009.0202R

Assessor's Parcel
Number: Location outside of San Francisco County

Location, Description: Various municipalities and private properties along the San Joaquin Pipeline, see Exhibit Acquisition of vacant properties in unincorporated areas of Alameda and Santa Clara Counties for use by the PUC.

Staff Reviewer: Claudia Flores

Date: June 19, 2009

GENERAL PLAN POLICY FINDINGS

Note: General Plan Objectives and Policies concerning the project are in **bold font**, and General Plan text is in regular font. Staff comments are in *italic font*.

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 5

ASSURE A PERMANENT AND ADEQUATE SUPPLY OF FRESH WATER TO MEET THE PRESENT AND FUTURE NEEDS OF SAN FRANCISCO.

Hetch Hetchy and the Water Department should continue their excellent planning program to assure that the water supply will adequately meet foreseeable consumption demands. To this end, the City should be prepared to undertake the necessary improvements and add to the Hetch Hetchy/Water Department system in order to guarantee the permanent supply. Furthermore, San Francisco should continually review its commitments for the sale of water to suburban areas in planning how to meet future demand.

POLICY 5.2

Exercise controls over development to correspond to the capabilities of the water supply and distribution system.

POLICY 5.3

Ensure water purity.

San Francisco's drinking water must meet State and Federal water quality standards. Ensuring water quality means continuing the present water purification process and monitoring storage facilities and transmission lines for threats to the water supply.

Comment: The proposed acquisition of easements for the upgrade of the San Joaquin Pipeline System will permit the PUC to protect the land from development or land uses that might impact the PUC's ability to supply high-quality drinking water to San Francisco water users and the PUC's clients in the East Bay and on the Peninsula. Acquisition of the easements is consistent with the PUC's Water System Improvement Program and with the cited General Plan policies.

OBJECTIVE 6

CONSERVE AND PROTECT THE FRESH WATER RESOURCE.

The fresh water resource, like all natural resources, is finite and measurable. While San Francisco's water supply seems vast in relation to current demands, it should not be wasted. Supplementary sources should also be investigated.

On balance, the proposal is in conformity with the General Plan. Any development schemes proposed for the subject parcels after acquisition of the easements for the SFPUC will be subject to separate General Plan Referrals to the Planning Department. Any development proposals would also have to comply with the local zoning ordinance and pertinent land use policies of the area.

The Project is XX in conformity with the General Plan.

Planning Code Section 101.1(b) establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this General Plan Referral application are consistent or inconsistent with each of these policies as follows:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The project would not affect neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project would not affect the City's housing stock or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced.

The Project would not affect the City's supply of affordable housing.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.

The Project would not affect Muni transit service, streets, or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would not affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project would not affect preparedness against injury and loss of life in an earthquake and would comply with applicable safety standards.

7. That landmarks and historic buildings be preserved.

The Project would not affect any of the City's historic resources.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would not have any adverse effect on the City's park system.

*I:\Citywide\General Plan\General Plan Referrals\2009\2009.0202R San Joaquin pipeline - PUC easements
acquire - SJ and Stanislaus Counties.doc*

REVISED 4-14-09

EXHIBIT A
San Joaquin Pipeline System (SJPL)

PRIVATE AND MUNICIPAL PROPERTIES POTENTIALLY IMPACTED BY PROJECT

OWNER	APN/P.M.	LOCATION	MAP PAGE
The Ardis Family Partnership	010-015-062 59.42	Warnerville Rd. Oakdale, GA Stanislaus County	22
Emilio Moran	010-041-026 59.50	Warnerville Rd. Oakdale, CA Stanislaus County	22
Frank M. Bettencourt	016-002-014 87.33	813 S. River Rd. Vernalis, CA Stanislaus County	18 & 31
Henry Bettencourt	016-002-014 87.34	2400 River Rd. Patterson, CA Stanislaus County	18
Clifford W. & Onalee J. Koster	255-070-08 93.10	3310 W. St. RT 132 Hwy Tracy, CA San Joaquin County	8
Triangle Properties, Inc	253-280-03 93.93	35555 S. Bird Rd. Tracy, CA San Joaquin County	6
USA - USACE	016-009-037 86.40	Pelican Rd. Vernalis, CA Stanislaus County	20
Willms Ranch, LLC	011-013-006 011-013-011 53.25-53.40	Willms Road Salida, CA Stanislaus County	32
Richard B. Ardis	011-001-028 53.85	Willms Road Salida, CA Stanislaus County	32
James W. Lopes	016-002-017 016-002-018 016-002-044 87.75-88.80	Blewett Road Vernalis, CA Stanislaus County	31
Garry & Christine DeWolf	253-170-05 96.10	Chrisman Road Tracy, CA San Joaquin County	30
Union Pacific Railroad Co.	Stationing 89+51 89.51	Hwy 33 between McCraken & Welty Roads Vernalis, CA Stanislaus County	14

Stanislaus County	Stationing 87+33 87.33	River Road Vernalis, CA Stanislaus County	18
Tony Ramos and Mary Rocha Weirinho (209) 578-1403	012-058-005 012-058-006 012-058-008 012-058-009 012-058-011 012-059-001 012-059-008 81.40-82.58	1685 Dunn Road Modesto, CA 7956 Shackelford Road Modesto, CA Gates Road Modesto, CA Stanislaus County	33
Angela Bogetti-Dumlao	016-002-48	McCracken Rd Patterson, CA Stanislaus County	33
Gary Oosterkamp	016-002-012	Maze Blvd. Patterson, CA Stanislaus County	33



John Updike
Acting Director of Real Estate



March 10, 2011

PUC
Easement Acquisition
San Joaquin Pipeline Project
Stanislaus County

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2011 MAR 11 AM 9:10

File 110247

Through Amy L. Brown
Acting City Administrator

Honorable Board of Supervisors
City & County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Dear Board Members:

Enclosed for your consideration is a Resolution authorizing an acceptance of an Easement Deed for a perpetual, exclusive easement in the real property, being a portion of River Road, located in Stanislaus County, required for the San Joaquin Pipeline System Project.

The easement, which is approximately 7,387 square feet, is necessary for the installation, construction, operation, inspection, maintenance, repair and replacement of water pipelines, utilities and related appurtenances. The easement is being conveyed to the City at no additional charge beyond the expenses noted in the attached Memorandum of Agreement.

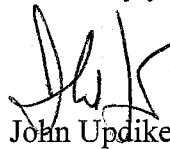
In addition to the Resolution, enclosed are:

1. Memorandum of Agreement between the City and County of San Francisco acting through its Public Utilities Commission and the County of Stanislaus.
2. Public Utilities Commission Resolution No. 09-0119 approving the acquisition of this easement and all other property interests for the project.
3. City Planning's letter dated June 29, 2009 stating that the proposed acquisition of all temporary and permanent easements for the project, including these road easements, is in conformance with the general plan and categorically exempt from environmental review.

4. Form SFEC – 126: Notification of Contract Approval

Should you have any questions or need additional information, do not hesitate to call Marta Bayol of our office at 554-9865.

Sincerely yours,



John Updike
Acting Director of Real Estate

cc: Amy L. Brown, Acting City Administrator

w/ Resolution;

Hazel Brandt, Deputy City Attorney

Richard Handel, Deputy City Attorney

Brian Morelli, PUC

Gary Dowd, PUC

Nathan Purkiss, PUC

**FORM SFEC-126:
NOTIFICATION OF CONTRACT APPROVAL
(S.F. Campaign and Governmental Conduct Code § 1.126)**

City Elective Officer Information <i>(Please print clearly.)</i>	
Name of City elective officer(s): SF Board of Supervisors	City elective office(s) held: Members, SF Board of Supervisors

Contractor Information <i>(Please print clearly.)</i>	
Name of contractor: County of Stanislaus	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i>	
Matt Machado, Director of Public Works	
Contractor address: 1716 Morgan Road, Modesto, CA 95358	
Date that contract was approved: <i>Upon approval of Board and Mayor</i>	Amount of contract: None
Describe the nature of the contract that was approved: Acceptance of Easement Deed	
Comments:	

This contract was approved by (check applicable):

the City elective officer(s) identified on this form (Mayor, Edwin M. Lee)

a board on which the City elective officer(s) serves San Francisco Board of Supervisors
Print Name of Board

the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits

Print Name of Board

Filer Information <i>(Please print clearly.)</i>	
Name of filer: Clerk of the San Francisco Board of Supervisors	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: bos.legislation@sfgov.org

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed

