

1 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise
2 Insulation Program]

3 **Resolution approving the acquisition of 65 Avigation Easements from various property**
4 **owners in San Mateo County required for the San Francisco International Airport's**
5 **Noise Insulation Program (Project); adopting findings that the Project is categorically**
6 **exempt from environmental review under the California Environmental Quality Act,**
7 **Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the**
8 **General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
9 **authorizing the Director of Property to execute documents, make certain modifications,**
10 **and take certain actions in furtherance of this Resolution, as defined herein.**

11
12 WHEREAS, The San Francisco International Airport ("SFO") is required by the State of
13 California Noise Standard for Airports (Title 21 of the California Code of Regulations) to
14 eliminate incompatible land uses within the Noise Impact Boundary; and

15 WHEREAS, Incompatibility with an airport use may be eliminated if the properties are
16 insulated to meet an interior noise standard of 45 decibels and/or the airport proprietor has
17 obtained an avigation easement for said properties; and

18 WHEREAS, On October 6, 2020, by Resolution No. 20-0187, and January 18, 2022, by
19 Resolution No. 22-0008, the San Francisco Airport Commission approved the Project and
20 authorized the request for Board of Supervisors acceptance and recordation of 65 of said
21 Easements; copies of which Resolutions are on file with the Clerk of the Board of Supervisors
22 under File No. 220992, and which Resolutions are incorporated herein by this reference; and

23 WHEREAS, The Director of Planning, by letter dated May 10, 2022, found that the
24 acquisition of the Avigation Easements is consistent with the General Plan, and with the eight
25 priority policies of Planning Code, Section 101.1, which letter is on file with the Clerk of the

1 Board of Supervisors under File No. 220992, and which letter is incorporated herein by this
2 reference; and

3 WHEREAS, A template of the Grant of Avigation Easement ("Easement Agreement")
4 between the City and the various property owners to be used for this Project is on file with the
5 Clerk of the Board of Supervisors in File No. 220992, which is incorporated herein by this
6 reference; now therefore, be it

7 RESOLVED, That the Board of Supervisors adopts the findings as stated in the May
8 10, 2022, letter from the Director of Planning that the Project is Categorically Exempt from
9 environmental review under the California Environmental Quality Act ("CEQA") Class 1:
10 Existing Facilities; and, be it

11 FURTHER RESOLVED, That in accordance with the recommendations of the San
12 Francisco Airport Commission and the Director of Property, the Board of Supervisors hereby
13 approves the Easement Agreements and the transaction contemplated thereby in
14 substantially the form of such easement agreements 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 Agreements (including, without limitation, the attached exhibits) that the Director of Property
18 determines are in the best interest of the City, that do not materially increase the obligations
19 or liabilities of the City, and are necessary or advisable to complete the transactions
20 contemplated in the Easement Agreements and effectuate the purpose and intent of this
21 Resolution, such determination to be conclusively evidenced by the execution and delivered
22 by the Director of Property of the Easement Agreements and any amendments thereto; and,
23 be it

24 FURTHER RESOLVED, That the Director of Property is hereby authorized and urged,
25 in the name and on behalf of the City and County of San Francisco, to accept the deeds to the

1 easements from the grantors with the terms and conditions of the Easement Agreements, and
2 to take any and all steps (including, but not limited to, the execution and delivery of any and all
3 certificates, agreements, notices, escrow instructions, closing documents and other
4 instruments or documents) as the Director of Property deems necessary or appropriate to
5 consummate the acquisition of the easements pursuant to the Easement Agreements, or to
6 otherwise effectuate the purpose and intent of this Resolution, such determination to be
7 conclusively evidenced by the execution and delivery by the Director of Property of any such
8 documents; and, be it

9 FURTHER RESOLVED, That within thirty (30) days of the Easement Agreements
10 being fully executed by all parties the Director of Property shall provide the Easement
11 Agreements to the Clerk of the Board for inclusion into the official file; and, be it

12 FURTHER RESOLVED, All actions heretofore taken by the Director of Property with
13 respect to the matters addressed in this Resolution are hereby approved, confirmed and
14 ratified.

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16

17 RECOMMENDED:

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19 _____ /s/

20 Ivar C. Satero

21 Airport Director

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23

24

25

_____ /s/

Andrico Penick

Director of Property