

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 24-0192

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed Project No. 10033818, Town of Sunol Pipeline (Project), which seeks to replace and realign a portion of the Town of Sunol pipeline system; and

WHEREAS, The Project intends to install an underground 12-inch ductile iron water pipeline (Pipeline) across property owned by Sunol Glen Unified School District, 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 Project requires an approximately 4,008-square-foot easement for the Pipeline and associated pipeline appurtenances and an approximately 34,834-square-foot temporary construction easement (TCE) on the Property (together, the Easements); and

WHEREAS, SFPUC staff, through consultation with the Office of the City Attorney, have negotiated with Sunol Glen Unified School District the proposed terms and conditions of City's acquisition of the Easements for a purchase price of \$35,000, plus all escrow and recording fees, title insurance costs, and an administrative fee of \$5,000, 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 and TCE (Easement Deeds); and

WHEREAS, On October 30, 2008, by Motion No. 17734, the Planning Commission certified the Final Program Environmental Impact Report (Program EIR) for the Water System Improvement Program (Case No. 2005.0159E) and on October 30, 2008, by Resolution No. 08-0200, this Commission 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, by Motion No. 18705, 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 on September 25, 2012, by Resolution No. 12-0174, this Commission 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 San Francisco Planning Department issued an Addendum to the Final EIR (Case No. 2007.0039ENV-03), which evaluates the Project to replace an approximately 495-foot-long segment of the existing water distribution pipeline that provides potable and firefighting water to the Town of Sunol and finds that the work under Project No. 10033818 Town of Sunol Pipeline, associated with these easement acquisitions, is within the scope of the project authorized under the Final EIR and Addendum; and

WHEREAS, The San Francisco Planning Department has prepared a refined Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, The San Francisco Planning Department is the custodian of records, located in File No. 2007.0039E and Modified File No. 2007.0039ENV-03, at 49 South Van Ness Avenue, Suite 1400, San Francisco, California, 94103, which have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, The Project files, including the Program EIR, Final EIR, Resolution No. 12-0174, CEQA findings, and Mitigation Monitoring and Reporting Program and Final EIR Addendum with refined Mitigation Monitoring and Reporting Program have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, This Commission 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; now, therefore, be it

RESOLVED, This Commission has reviewed and considered the Program EIR, Final EIR, and the Addendum to the Final EIR and the record as a whole, and finds that the Final EIR and Addendum to the Final EIR are adequate for its use as the decision-making body for the Project and that no subsequent or supplemental environmental review is required, and incorporates the CEQA findings contained in Resolution No. 12-0174 by this reference thereto as though set forth in this Resolution; and, be it

FURTHER RESOLVED, This Commission further finds 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, be it

FURTHER RESOLVED, This Commission adopts the refined Mitigation Monitoring and Reporting Program for the Project as a condition of approval for the Project; and, be it

FURTHER RESOLVED, That this Commission hereby ratifies, approves, and authorizes all actions taken to date by any City official in connection with the Agreement; and, be it

FURTHER RESOLVED, That this Commission hereby approves the terms and conditions of the Purchase and Sale Agreement and authorizes and directs the General Manager to execute the Agreement and Easement Deeds, subject to the approval of the Board of Supervisors and Mayor; and, be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to enter into any amendments or modifications to the Agreement and Easement Deeds, including without limitation, the exhibits, that the 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 Agreement, Easement Deeds, or this resolution; and are in compliance with all applicable laws, including the City Charter.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of September 10, 2024.

T. Lennear

*Director of Commission Affairs,
San Francisco Public Utilities Commission*