[Real Property Acquisition - Easement - Waylen Ruiwei Hall, et al - Lower Alemany Area Stormwater Improvements - Not to Exceed $32,000]

Resolution approving and authorizing the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission and/or the Director of Property to execute a Purchase and Sale Agreement and Easement Deed with Waylen Ruiwei Hall, et al, for the acquisition of a 693.2-square-foot easement for a subsurface sewer tunnel under and across a portion of Assessor's Parcel Block No. 5861 Lot No. 021, known as 499 Gaven Street, San Francisco, for a total amount not to exceed $32,000 and effective on the date the Purchase and Sale Agreement is executed by both parties, pursuant to Charter, Section 9.118; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a finding that the Purchase and Sale Agreement furthers a proper public purpose sufficient to meet Administrative Code, Section 23.30, market value requirements.

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) seeks to improve collection system capacity and increase flood resilience during wet weather events within the Lower Alemany area in San Francisco as a part of Project No. 10034360, Lower Alemany Area Stormwater Improvements (Project); and

WHEREAS, The Project includes the installation of a 10-foot internal diameter tunnel, to be designated as the Alemany Auxiliary Sewer; and

WHEREAS, The tunnel would be installed along Alemany Boulevard and Gaven Street, south of I-280, and along Boutwell Street northeast of the I-280 and US-101 interchange; and

WHEREAS, The Alemany Auxiliary Sewer would consist of an approximately 1.4-mile-long sewer line connecting to the existing Alemany Sewer, the Industrial Sewer, and the Islais Creek Transport/Storage Box; and

WHEREAS, The proposed Alemany Auxiliary Sewer tunnel alignment crosses under the driveways of three private residential properties at the western terminus of Gaven Street, across property owned by Waylen Ruiwei Hall, et al (Property Owner), located at 499 Gaven Street, San Francisco, designated as a portion of San Francisco Assessor's Parcel Block No. 5861 Lot No. 021 (Property); and

WHEREAS, The Project requires that the City and County of San Francisco (City) acquire an approximately 693.2-square-foot easement (the Easement) for the subsurface Alemany Auxiliary Sewer tunnel across the Property; and

WHEREAS, SFPUC staff, through consultation with the Office of the City Attorney, made an offer to Property Owner to purchase the Easement for a purchase price of $32,000 plus payment of escrow and recording fees and title insurance costs, as set forth in the attached form of an Agreement for Purchase and Sale of Real Estate (Agreement) and Easement Deed to convey the Easement (Easement Deed); and

WHEREAS, Property Owner accepted the City's offer to purchase the Easement and signed the Agreement; and

WHEREAS, On December 9, 2025, by SFPUC Resolution No. 25-0175, the SFPUC Commission approved and authorized the terms and conditions of the Agreement and authorized the General Manager of the SFPUC and/or the Director of Property to execute the Agreement and Easement Deed with Property Owner, subject to the approval of the Board of Supervisors; and

WHEREAS, The Purchase and Sale Agreement is effective on the date on which it is executed by both parties; and

WHEREAS, The proposed purchase price payable under the Agreement is a negotiated settlement between Property Owner and City and exceeds the appraised value of the Easement, as determined by an independent MAI appraiser, and therefore requires a Board of Supervisors finding that the Agreement furthers a proper public purpose sufficient to meet the requirements of Administrative Code, Section 23.30, market value requirements; and

WHEREAS, On September 24, 2025, through Case No. 2023-000654GPR (General Plan Findings), the San Francisco Planning Department found that the proposed purchase of the Easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and

WHEREAS, On March 25, 2025, the San Francisco Planning Department determined the Project to be categorically exempt under 1) the California Environmental Quality Act (CEQA) Guidelines section 15301, 2) Class 1 (Existing Facilities) and 3) section 15303, Class 3 (New Construction or Conversion of Small Structures) under Case No. 2023-000654ENV (collectively, CEQA Findings); and

WHEREAS, The Board of Supervisors has reviewed and considered the General Plan Findings and CEQA Findings; now, therefore be it

RESOLVED, That the Board of Supervisors hereby adopts the General Plan Findings and CEQA Findings concerning the purchase of the Easement; and, be it

FURTHER RESOLVED, That this Board of Supervisors hereby approves the terms and conditions and authorizes the General Manager of the SFPUC and/or the Director of Property to execute the Agreement and Easement Deed with Waylen Ruiwei Hall, et al, for the acquisition of the Easement, for a total amount not to exceed $32,000 pursuant to Charter, Section 9.118; and, be it

FURTHER RESOLVED, That the Board of Supervisors confirms that the negotiated price for the Easement furthers a proper public purpose sufficient to meet the requirements of Administrative Code, Section 23.30, market value requirements; and, be it

FURTHER RESOLVED, That the Board of Supervisors ratifies the Agreement and authorizes the General Manager of the SFPUC and/or the Director of Property to enter into any additions, amendments, or other modifications to the Agreement (including, without limitation, the attached exhibits) that the General Manager of the SFPUC and/or the Director of Property determine are in the best interest of City, do not materially increase the obligations or liabilities of City, and are necessary or advisable to complete the transaction contemplated in the Agreement and effectuate the purpose and intent of this resolution, such determination to be conclusively evidenced by the execution and delivery of the General Manager of the SFPUC and/or Director of Property of the Agreement and any amendments thereto; and, be it

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