

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

3 **Resolution approving the acquisition of 33 Avigation Easements from various property**
4 **owners in San Mateo County to replace expiring Avigation Easements required for the**
5 **San Francisco International Airport's Noise Insulation Program (Project); adopting**
6 **findings that the Project is categorically exempt from environmental review under the**
7 **California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that**
8 **the acquisition is consistent with the General Plan, and the eight priority policies of**
9 **Planning Code, Section 101.1; and authorizing the Director of Property to execute**
10 **documents, make certain modifications, and take certain actions in furtherance of this**
11 **Resolution.**

12 WHEREAS, The San Francisco International Airport ("SFO") is required by the State of
13 California Noise Standard for Airports (Title 21, California Administrative Code) to eliminate
14 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; and

18 WHEREAS, On October 30, 2012 and August 12, 2013, the San Francisco Airport
19 Commission by Resolution Nos. 12-0243 and 13-0186, copies of which Resolutions are on file
20 with the Clerk of the Board of Supervisors under File No. 131185, and which Resolutions are
21 incorporated herein by this reference, approved the Project and authorized the request for
22 Board of Supervisors acceptance and recordation of said Easements; and

23 WHEREAS, The Director of Planning, by letter dated October 11, 2013, found that the
24 acquisition of the Avigation Easements is consistent with the City's General Plan and with the
25 Eight Priority Policies of City Planning Code Section 101.1, which letter is on file with the Clerk

1 of the Board of Supervisors under File No. 131185, and which letter is incorporated herein by
2 this 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. 131185, 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
8 October 11, 2013 letter from the Director of Planning that the Project is Categorically Exempt
9 from 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 delivery by
22 the Director of Property of the Easement Agreements and any amendments thereto; and, be it

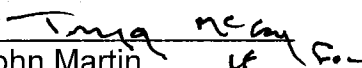
23 FURTHER RESOLVED, That the Director of Property are hereby authorized and
24 urged, in the name and on behalf of the City and County, to accept the deeds to the
25 easements from the grantors with the terms and conditions of the Easement Agreements, and

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 in
5 order to consummate the acquisition of the easements pursuant to the Easement
6 Agreements, or to otherwise effectuate the purpose and intent of this Resolution, such
7 determination to be conclusively evidenced by the execution and delivery by the Director of
8 Property of any such 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.

15
16 RECOMMENDED:

17 
18 John Martin
19 Airport Director

20 
21 John Updike
22 Director of Property



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 131185

Date Passed: February 11, 2014

Resolution approving the acquisition of 33 Avigation Easements from various property owners in San Mateo County to replace expiring Avigation Easements required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.


February 03, 2014 Land Use and Economic Development Committee - RECOMMENDED..

February 11, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 131185

I hereby certify that the foregoing Resolution was ADOPTED on 2/11/2014 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved