

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 15-0111

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) staff have developed a project description for Project No. CWWSIPCSSR03, Kansas and Marin Streets Sewer System Improvement (Project); and

WHEREAS, The objective of the Project is to increase the wet-weather conveyance for combined sewer flows for the Cesar Chavez Street area in the Islais Creek Drainage Basin; and

WHEREAS, On April 21, 2015, the Planning Department determined that the Project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 (Existing Facilities) and Class 3 (New Construction or Conversion of Small Structures) categorical exemption under CEQA Guidelines Sections 15301 and 15303; and

WHEREAS, SFPUC staff will comply with Government Code Section 7260 et seq. statutory procedures for possible acquisition of real property interests in Assessor's Parcel 001J in Assessor Block 4343, owned by 2479 Marin Street, LLC, a California limited liability company, and in Assessor's Parcel 001D in Block 4343, owned by Beronio Lumber Inc., a California corporation; and

WHEREAS, The construction staging and access activities on Assessor's Parcel 031 in Assessor's Block No. 4343, owned by City, will displace some tenants on that parcel and may temporarily eliminate some parking spaces used by Department of Public Works (SFPDW); now therefore, be it

RESOLVED, That this Commission hereby approves Project Number CWWSIPCSSR03, Kansas and Marin Streets Sewer System Improvement, 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 California Government Code Section 7260 et seq., with the San Francisco Charter and all applicable laws, for possible acquisition, for a combined purchase price estimated not to exceed \$1,000,000, of temporary and permanent interests in real property in Assessor's Parcel 001J in Assessor's Block 4343, owned by 2479 Marin Street, LLC, and in Assessor's Parcel 001D in Block 4343, owned by Beronio Lumber Inc., a California Corporation, and to work with the Director of Real Estate to seek Board of Supervisors' approval, to the extent required by the Charter, and upon receipt of any required approval, 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 undertake the process, in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 49 CFR Part 24, and all applicable laws, to provide relocation assistance and relocation benefits to qualified City tenants who may be displaced by the

construction access and staging activities on Assessor's Parcel 031 in Assessor's Block No. 4343, owned by City; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager to negotiate and enter into a Memorandum of Understanding (MOU) with SFPDW to address the Project's temporary use of portions of Assessor's Parcel 031 in Assessor's Block No. 4343; and be it

FURTHER RESOLVED, The SFPUC 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 enter into any subsequent additions, amendments or other modifications to the real property acquisition agreements and related documents and the SFPDW MOU, as described herein, that the General Manager, in consultation with the Real Estate Director 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 May 12, 2015.



Secretary, Public Utilities Commission