



San Francisco Public Works
General – Director’s Office
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 www.SFPublicWorks.org

Public Works Order No: 203038

Determination to recommend the summary vacation of a portion of 25th Street, which is generally bounded by Assessor’s Parcel Block No. 4241/Lot 002 to the north, Seawall Lot 355 (portions of Assessor’s Parcel Block No. 4298/Lot 002, Assessor’s Parcel Block No. 4299/Lot 001, and Assessor’s Parcel Block No. 4300/Lot 001) to the south, Michigan Street to the west, and Seawall Lot 356 to the east, to enable extended operation of a temporary Navigation Center for homeless residents, pursuant to California Streets and Highways Code Sections 8300 et seq. and Public Works Code Section 787.

WHEREAS, Most public streets and sidewalks are owned in fee by the City and County of San Francisco as public right-of-way; and

WHEREAS, The Vacation Area is generally bounded by Assessor’s Parcel Block No. 4241/Lot 002 to the north, Seawall Lot 355 (portions of Assessor’s Parcel Block No. 4298/Lot 002, Assessor’s Parcel Block No. 4299/Lot 001, and Assessor’s Parcel Block No. 4300/Lot 001) to the south, Michigan Street to the west, and Seawall Lot 356 to the east; and

WHEREAS, The Vacation Area is depicted on SUR Map 2016-020, dated September 30, 2016, and is located on Port of San Francisco property; and

WHEREAS, Due to the vital need to find locations for temporary homeless shelters and to provide such facilities and related services and amenities to homeless people, in October 2016, the Board of Supervisors approved Ordinance No. 214-16, which authorized the temporary summary vacation of the Vacation Area for a period of 42 months to enable the siting and operation of the Central Waterfront Navigation Center pursuant to a Memorandum of Understanding (“MOU”) between the Port of San Francisco and the Department of Homelessness and Supportive Housing to authorize the use of 600 25th Street for use as a temporary navigation center; and

WHEREAS, In March 2019, the Dogpatch Neighborhood Association, in written correspondence to the Department of Homelessness and Supportive Housing, expressed support for the extended operation of the Central Waterfront Navigation Center because the navigation center has proven to be an effective and attractive choice for people experiencing homelessness, providing them with a safe place to be, services, and access to

resources to help end their homelessness; and the Central Waterfront Navigation Center has been a good neighbor, well-maintained and an invaluable resource in addressing encampments in the Dogpatch neighborhood; and

WHEREAS, The temporary street vacation authorized under Ordinance No. 214-16 is near expiration; and

WHEREAS, While the current MOU is set to expire in May 2020, the City proposes to renew and extend the MOU for an additional five years, and approval of the amended MOU; and

WHEREAS, Currently, the presence and spread of COVID-19 poses unprecedented challenges to the City and exacerbates challenges facing homeless individuals in the City; and

WHEREAS, California Streets and Highways Code Sections 8300 et seq. and San Francisco Public Works Code Section 787(a) establish the process for the Board of Supervisors to vacate a street, highway, or public easement. Streets and Highways Code Sections 8334 and 8334.5 provide that the legislative body of a local agency may summarily vacate an excess right-of-way of a street under certain circumstances that are satisfied regarding the Vacation Area; and

WHEREAS, The physical attributes of the Vacation Area satisfy the requirements necessary for a summary street vacation under Streets and Highways Code Sections 8334 and 8334.5. These attributes are as follows: (1) the Vacation Area is not necessary for public street, sidewalk, and service easement purposes, as the Vacation Area does not continue through Seawall Lot 356, and therefore, is a dead end, and the Vacation Area is excess right-of-way not required for street purposes or for access to San Francisco Bay; (2) there are no in-place functioning public or private utilities that will be affected by the vacation of the Vacation Area, based on the absence of any objections from any utility company or entity to the street vacation; (3) the public interest, convenience, and necessity do not require that any easements or other rights be reserved for any public or private utility facilities that may be in place in the Vacation Area; and (4) any rights based upon any such public or private utility facilities identified in the preceding (2) and (3) shall be extinguished automatically upon the effectiveness of the vacation; and

WHEREAS, In addition, the Vacation Area has been deemed unnecessary for public trust purposes and the proposed use has been deemed an acceptable interim use of Port of San Francisco property.

WHEREAS, Pursuant to the California Streets and Highways Code, the Department of Public Works, Bureau of Street Use and Mapping (the "Department") has initiated the process to vacate the Vacation Area; and

WHEREAS, The Department provided notice of the proposed street vacation, SUR Drawing No. 2016-20, and a DPW referral letter to the Department of Technology, the San Francisco Municipal Transportation Agency, AT&T, Sprint, the San Francisco Fire Department, the San Francisco Water Department, Pacific Gas and Electric, the Bureau of Light, Heat and Power, the Bureau of Engineering, the Department of Parking and Traffic, the Utility Engineering Bureau, and the San Francisco Public Utilities Commission. No agency or utility company objected to.

the proposed vacation, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and

WHEREAS, The public interest, convenience, and necessity require that no other easements or other rights should be reserved by City for any public or private utilities or facilities that may be in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities are unnecessary and should be extinguished; and

WHEREAS, Pursuant to the Streets and Highways Code Section 892, the Department determines that the Vacation Area is unnecessary for non-motorized transportation as there are multiple streets surrounding that Vacation Area that remain available for such transportation and those members of the public availing themselves of non-motorized transportation will not be inconvenienced by the proposed street vacation; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

1. The vacation is being carried out pursuant to the California Streets and Highways Code Sections 8300 et seq.
2. The vacation is being carried out pursuant to San Francisco Public Works Code Section 787.
3. The Vacation Area can be summarily vacated under Streets and Highway Code Sections 8334 and 8334.5 because the Vacation Area meets the criteria for excess right-of-way and the other factors necessary for a summary street vacation as described in the above findings.
4. The Vacation Area is shown on the SUR Map No. 2016-020.
5. There will be no physical public or private utilities affected by the vacation of the Vacation Area, based on the absence of any objections from any utility company, and the public interest, convenience, and necessity do not require any easements or other rights be reserved for any public or private utility facilities that are in place in the Vacation Area.
6. Any rights based upon any such public or private utility facilities shall be extinguished automatically upon the effectiveness of the vacation.
7. The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes.
8. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not useful as a non-motorized transportation facility for the reasons set forth herein.
9. The public interest, convenience, and necessity require that the City reserve from the vacation of the Vacation Area rights for future street use pursuant to Streets and Highways Code Section 8340.

NOW THEREFORE BE IT ORDERED THAT:

The Director approves the attached ordinance to vacate the Vacation Area. Previously, the Director approved the above referenced SUR Map No. 2016-020 pursuant to Public Works Order No. 185343.

The Director recommends that the Board of Supervisors approve the temporary street vacation subject to the conditions herein, including that the City reserve, and except from vacation, rights in the Vacation Area for future street, roadway, and emergency vehicle access purposes pursuant to Streets and Highways Code Section 8340, and that the Vacation Area shall cease to be vacated and shall revert to street use and publicly dedicated street and right-of-way as authorized under Streets and Highways Code Section 8340 upon the earliest of any of the following occurrences:

1. removal, for any reason, of the Central Waterfront Navigation Center from the Vacation Area; or
2. the expiration, termination, abandonment, and/or revocation of the Memorandum of Understanding or similar instrument between the Port Commission and the Department of Homelessness and Supportive Housing (“HSH”); or
3. a determination by the HSH Director and the PW Director that an equivalent number of permanent shelter beds has been created at an alternate location or locations and all homeless residents housed at the Central Waterfront Navigation Center will have access to such location or locations.

The Director further recommends that the Board of Supervisors approve the ordinance to temporarily vacate said Vacation Area, provided that the San Francisco Port Commission makes a determination that the Vacation Area continues to be unnecessary for public trust purposes and the proposed use continues to be an acceptable interim use of Port of San Francisco property.

The Director further recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation.

The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.

X DocuSigned by:
Bruce Storrs

Storrs, Bruce 97ABC41507B0494...
County Surveyor

X DocuSigned by:
Alain Degrafinried

Degrafinried, Alain 18179336C84404A5...
Acting Director

Certificate Of Completion

| | |
|---|--------------------------------|
| Envelope Id: EFCE69F2BC5E4DFF9809C0F5A54F1193 | Status: Completed |
| Subject: Order 203038 - Street Vacation Extension for 25th Street Navigation Center | |
| Source Envelope: | |
| Document Pages: 5 | Signatures: 2 |
| Certificate Pages: 5 | Initials: 0 |
| AutoNav: Enabled | Envelope Originator: |
| Envelopeld Stamping: Enabled | DPW DocuSign |
| Time Zone: (UTC-08:00) Pacific Time (US & Canada) | 30 Van Ness Ave. Suite 4400 |
| | San Francisco, CA 94102 |
| | dpw-docusign.service@sfdpw.org |
| | IP Address: 208.121.64.7 |

Record Tracking

| | | |
|---|--|--------------------|
| Status: Original 4/21/2020 10:01:39 AM | Holder: DPW DocuSign dpw-docusign.service@sfdpw.org | Location: DocuSign |
|---|--|--------------------|

Signer Events

Bruce Storrs
Bruce.Storrs@sfdpw.org
Public Works
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

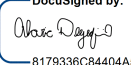
97ABC41507B0494...
Signature Adoption: Pre-selected Style
Using IP Address: 208.121.64.13

Timestamp

Sent: 4/21/2020 10:01:40 AM
Viewed: 4/21/2020 10:02:28 AM
Signed: 4/21/2020 11:12:37 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Degrafinried, Alaric
Alaric.Degrafinried@sfdpw.org
City and County of San Francisco
Security Level: Email, Account Authentication (None)

DocuSigned by:

8179336C84404A5...
Signature Adoption: Drawn on Device
Using IP Address: 208.121.64.7

Sent: 4/21/2020 11:12:39 AM
Viewed: 4/21/2020 11:13:25 AM
Signed: 4/21/2020 11:15:07 AM

Electronic Record and Signature Disclosure:
Accepted: 2/3/2020 3:14:41 PM
ID: 1ffb5d1a-126a-4ea2-b728-9526f997d85c

| In Person Signer Events | Signature | Timestamp |
|--|---------------|-----------------------------|
| Editor Delivery Events | Status | Timestamp |
| Agent Delivery Events | Status | Timestamp |
| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |
| Carbon Copy Events | Status | Timestamp |
| Wong, Jason jason.c.wong1@sfdpw.org Public Works Security Level: Email, Account Authentication (None) | COPIED | Sent: 4/21/2020 10:01:41 AM |
| Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| Witness Events | Signature | Timestamp |

| Notary Events | Signature | Timestamp |
|----------------------|------------------|------------------|
|----------------------|------------------|------------------|

| Envelope Summary Events | Status | Timestamps |
|--------------------------------|---------------|-------------------|
|--------------------------------|---------------|-------------------|

| | | |
|---------------------|------------------|-----------------------|
| Envelope Sent | Hashed/Encrypted | 4/21/2020 11:12:39 AM |
| Certified Delivered | Security Checked | 4/21/2020 11:13:25 AM |
| Signing Complete | Security Checked | 4/21/2020 11:15:07 AM |
| Completed | Security Checked | 4/21/2020 11:15:07 AM |

| Payment Events | Status | Timestamps |
|-----------------------|---------------|-------------------|
|-----------------------|---------------|-------------------|

| Electronic Record and Signature Disclosure |
|---|
|---|

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Public Works (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Public Works:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: dannie.tse@sfdpw.org

To advise Public Works of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at dannie.tse@sfdpw.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Public Works

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to dannie.tse@sfdpw.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Public Works

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to dannie.tse@sfdpw.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

| | |
|----------------------------|--|
| Operating Systems: | Windows2000? or WindowsXP? |
| Browsers (for SENDERS): | Internet Explorer 6.0? or above |
| Browsers (for SIGNERS): | Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above) |
| Email: | Access to a valid email account |
| Screen Resolution: | 800 x 600 minimum |
| Enabled Security Settings: | <ul style="list-style-type: none"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection |

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Public Works as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Public Works during the course of my relationship with you.