

1 [Cooperative Agreement for Transbay Terminal Project.]
2

3 **Resolution approving a Cooperative Agreement between the City and County of San**
4 **Francisco, the Transbay Joint Powers Authority and the State of California for the**
5 **acquisition of vacant State-owned property comprising portions of the former Route**
6 **480 and Embarcadero Freeway Right-of-Way, and including the Transbay Terminal and**
7 **its Loop Ramps, for purposes of the Transbay Terminal Project; and making findings of**
8 **consistency with the General Plan and eight priority polices of Planning Code section**
9 **101.1, and environmental findings.**
10

11 WHEREAS, On November 2, 1999, the voters of the City adopted Proposition H,
12 declaring that the Caltrain commuter rail line shall be extended downtown to a regional
13 intermodal transit station constructed on the present site of the Transbay Terminal to serve
14 Caltrain, regional and intercity bus lines, MUNI and high speed rail; and,

15 WHEREAS, In 2002, after years of studies and debate, the Metropolitan Transportation
16 Commission Transbay Terminal Panel reached consensus on a design concept for the new
17 Transbay Terminal that would significantly expand Bay Area commuter bus and rail service,
18 including AC Transit, Golden Gate Transit, SamTrans, MUNI, Greyhound, paratransit and
19 other transit providers, Caltrain, and high speed rail; and,

20 WHEREAS, Resolution 104-01, adopted by the Board of Supervisors on February 12,
21 2001, and on file with the Clerk of the Board of Supervisors in file no. 030997, authorized the
22 City to become a member of the Transbay Joint Powers Authority ("TJPA"), designated as the
23 single entity to design, build and operate the new Transbay Terminal, and declaring that the
24 City's official policy shall be to coordinate and commit its resources in support of planning
25 efforts required to implement the proposed intermodal terminal; and,

1 WHEREAS, The TJPA, composed of the City, the Alameda Contra Cost Transit
2 District, and the Peninsula Corridor Joint Powers Board, was formally created on April 4,
3 2001; and,

4 WHEREAS, In December, 2001, the "Transbay Terminal Project" was adopted in Track
5 1 of the Metropolitan Transportation Commission's Regional Transportation Plan; and,

6 WHEREAS, On September 19, 2002, the Governor signed SB 1856, the Safe, Reliable
7 High-Speed Passenger Train Bond Act for the 21st Century authorizing the issuance of nine
8 billion dollars (\$9,000,000,000.00) in bonds for a high-speed rail link between the Transbay
9 Terminal and Union Station in Los Angeles; and,

10 WHEREAS, The City, the Peninsula Corridor Joint Powers Board and the Federal
11 Transit Administration released the Draft Environmental Impact Statement/Environmental
12 Impact Report ("Draft EIR/EIS") on the Transbay Terminal Project in October, 2002; and,

13 WHEREAS, In March, 2003, the TJPA adopted a Locally Referred Alternative ("LPA")
14 from the Draft EIR/EIS, required for preparation of the Final EIR/EIS; and,

15 WHEREAS, The LPA for the Transbay Terminal Project includes the development of a
16 regional intermodal rail and bus station and the creation of a new, vibrant and transit oriented
17 neighborhood in downtown San Francisco with thousands of new residential units; and,

18 WHEREAS, Board of Supervisors Resolution 104-01 urged the California legislature to
19 provide necessary state-owned real property, funding and other measures necessary to
20 develop the new intermodal terminal; and,

21 WHEREAS, On October 14, 2001, Governor Davis directed the State Department of
22 Transportation ("Caltrans") to provide the real property needed for the terminal through
23 administrative processes; and,
24
25

1 WHEREAS, Caltrans has agreed to transfer the real property at no cost as set forth in
2 the Cooperative Agreement on file with the Clerk of the Board of Supervisors in File No.
3 , which is declared to be a part of this resolution as if set forth fully herein; and,

4 WHEREAS, The Cooperative Agreement recognizes the Transbay Terminal Project as
5 the construction of a new multimodal transit terminal as set forth in Proposition H and in
6 Resolution 104-01; and,

7 WHEREAS, Under the Cooperative Agreement the State will convey thirteen (13)
8 designated parcels of land to the City, and twelve designated parcels to the TJPA (including
9 the Transbay Terminal and ramps) at no cost to either transferee, after Federal Transit
10 Administration issuance of a Record of Decision on the Final EIS/EIR, and subject to the
11 condition that the property itself or any sale proceeds be used to construct the Transbay
12 Terminal Project intermodal bus and rail terminal; and,

13 WHEREAS, Under the Cooperative Agreement the new Transbay Terminal must
14 commence bus operations by a date eight (8) years from the completion of Caltrans' West
15 Approach Seismic Project, or by approximately 2017, or Caltrans may retake any transferred
16 properties or any remaining funds from their sale for development; and,

17 WHEREAS, By letter dated June 11, 2003, on file with the Clerk of the Board of
18 Supervisors in File No. ⁰³⁰⁹⁹⁷ , the Department of City Planning reported its findings that the
19 proposed acquisition of the Caltrans property as set forth in the Cooperative Agreement is
20 consistent with the City's General Plan and with the Eight Priority Policies of City Planning
21 Code Section 101.1. Said letter is declared to be a part of this resolution as if set forth fully
22 herein; and,

23 WHEREAS, By letter dated May 29, 2003, on file with the Clerk of the Board of
24 Supervisors in File No. ⁰³⁰⁹⁹⁷ , the Department of City Planning issued a Certificate of
25 Determination of Exemption/Exclusion From Environmental Review finding that Board of

1 Supervisors approval of the Cooperative Agreement would not have a significant effect on the
2 environment. Said letter is declared to be a part of this resolution as if set forth fully herein;
3 and,

4 WHEREAS, The Cooperative Agreement requires future approvals and actions by the
5 City to approve the Transbay Terminal Redevelopment Plan, to commit tax increment from
6 transferred properties toward design and construction of the new terminal, and to work with
7 the TJPA and San Francisco Redevelopment Agency to consolidate properties into larger
8 parcels for development through interagency transfers; and,

9 WHEREAS, On May , 2003, the Cooperative Agreement was approved by the Mayor;
10 and,

11 WHEREAS, On May 30, 2003, in Resolution 03-004, on file with the Clerk of the Board
12 of Supervisors in File No. ⁰³⁰⁹⁹⁷, the TJPA approved the Cooperative Agreement; and,

13 WHEREAS, The Cooperative Agreement will help to assure that important future bus
14 and rail transit needs are funded and developed through implementation of the Transbay
15 Terminal Project; now, therefore, be it

16 RESOLVED, That the Board of Supervisors adopts as its own the findings in the
17 Department of City Planning letter dated June , 2003, that acquisition of the Caltrans property
18 on the terms and conditions set forth in the Cooperative Agreement are (i) in conformity with
19 the General Plan, and (ii) consistent with the eight priority policies of City Planning Code
20 section 101.1; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby affirms the decision of
22 the Department of City Planning dated May 29, 2003 that approval of the Cooperative
23 Agreement will not have a significant effect on the environment; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors hereby approves the
2 Cooperative Agreement with Caltrans and the TJPA regarding the transfer of real property
3 needed for the Transbay Terminal and Downtown Caltrain Extension Project; and, be it

4 FURTHER RESOLVED, That all actions heretofore taken by officials of the City with
5 respect to the acquisition of the Caltrans property are hereby approved, confirmed and ratified
6 by this Board of Supervisors; and, be it

7 FURTHER RESOLVED, That the Director of Real Estate is authorized to accept and
8 record any and all deeds transferring property to the City pursuant to the Cooperative
9 Agreement and to take any and all steps (including, but not limited to, the execution and
10 delivery of Assignments of Leases and any and all other certificates, notices, consents,
11 instructions, and documents), and to make such transfers of property received from the State
12 to the TJPA or the San Francisco Redevelopment Agency as the Director of Property deems
13 necessary or appropriate in order to consummate the conveyances included in the
14 Cooperative Agreement and to complete the Transbay Terminal Project; and, be it

15 FURTHER RESOLVED, That the Mayor and all officers of the City and their agents are
16 hereby authorized and urged, jointly and severally, to do any and all things and to execute
17 and deliver any and all certificates and other documents which they or the City Attorney may
18 deem necessary or advisable in order to effectuate the purposes of this Resolution and to
19 meet the Cooperative Agreement deadline for commencement of bus operations; and, be it

20 FURTHER RESOLVED, That the California Transportation Commission is urged to
21 approve the transfers included in the Cooperative Agreement at the earliest possible date so
22 that the City the TJPA and other local, regional and state entities may proceed with this vital
23 transportation and transit-rich project.



City and County of San Francisco

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

Tails

Resolution

File Number: 030997

Date Passed:

Resolution approving a Cooperative Agreement between the City and County of San Francisco, the Transbay Joint Powers Authority and the State of California for the acquisition of vacant State-owned property comprising portions of the former Route 480 and Embarcadero Freeway Right-of-Way, and including the Transbay Terminal and its Loop Ramps, for purposes of the Transbay Terminal Project; and making findings of consistency with the General Plan and eight priority policies of Planning Code section 101.1, and environmental findings.

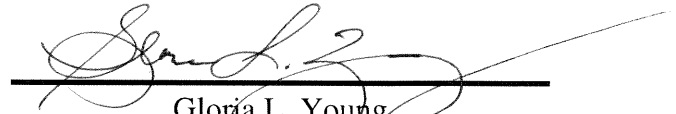
July 8, 2003 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Excused: 1 - Newsom

File No. 030997


I hereby certify that the foregoing Resolution was ADOPTED on July 8, 2003 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

JUL 11 2003

Date Approved



Mayor Willie L. Brown Jr.