

1 [Cooperative Agreement - California Department of Transportation - Lombard Street Vision  
2 Zero Project]

3 **Resolution approving a cooperative agreement between the City and County of San**  
4 **Francisco and the State of California Department of Transportation concerning the**  
5 **development, review, and approval of the project initiation document for the Lombard**  
6 **Street Vision Zero Project, including pedestrian safety, transit improvements, and**  
7 **utility upgrades along Lombard Street between Francisco Street and Van Ness Avenue,**  
8 **and making environmental findings.**

9  
10 WHEREAS, The purpose of the Lombard Street Vision Zero Project (Project) is to  
11 improve safety for pedestrians and transit riders; to improve transit speed and reliability; and  
12 to reduce travel time by optimizing transit stop locations. In addition, the Project would  
13 increase the reliability of water transmission services and wastewater services; and

14 WHEREAS, The proposed Project also would construct the utility upgrades in  
15 conjunction with the surface improvements to minimize the overall construction disruption to  
16 the corridor and its many users; and

17 WHEREAS, This Project was analyzed in the Transit Effectiveness Project Final  
18 Environmental Impact Report (FEIR), which the San Francisco Planning Commission certified  
19 in Motion No. 19105 on March 27, 2014; and

20 WHEREAS, On March 28, 2014, as part of Resolution No. 14-041, the San Francisco  
21 Municipal Transportation Agency (SFMTA) Board of Directors adopted findings (Findings)  
22 under the California Environmental Quality Act (CEQA), California Public Resources Code,  
23 Sections 21000 et seq., the CEQA Guidelines, and Administrative Code, Chapter 31, and a  
24 Mitigation Monitoring and Reporting Program (MMRP); and

1           WHEREAS, The Resolution, Findings, and MMRP are on file with the Clerk of the  
2 Board of Supervisors in File No. 160324 and are incorporated herein by reference; and

3           WHEREAS, On March 15, 2016, in Resolution No. 16-031, the SFMTA Board of  
4 Directors approved the project elements along the Lombard Street corridor included in the  
5 Muni Forward Service-Related Capital Improvements and Travel Time Reduction Proposals;  
6 and

7           WHEREAS, As part of that Resolution, the SFMTA Board of Directors reviewed the  
8 FEIR and found that since certification of the FEIR, no changes have occurred in the  
9 proposed project or in the circumstances under which the project would be implemented that  
10 would cause new significant impacts or a substantial increase in the severity of impacts  
11 identified and analyzed in the FEIR, and that no new information has emerged that would  
12 materially change the analyses or conclusions set forth in the FEIR; and

13           WHEREAS, The SFMTA Board determined that its actions would not necessitate  
14 implementation of additional or considerably different mitigation measures than those  
15 identified in the FEIR; and

16           WHEREAS, A copy of Resolution No. 16-031 is on file with the Clerk of the Board of  
17 Supervisors in File No. 160324 and is incorporated herein by reference; and

18           WHEREAS, San Francisco (the City) and Caltrans desire to effectuate an agreement  
19 (the Cooperative Agreement) that defines the terms and conditions under which the project  
20 initiation document (PID) for the Project will be developed; and

21           WHEREAS, Said Cooperative Agreement provides that the City will develop the PID  
22 and fund 100% of the PID's costs and fees, including costs to reimburse Caltrans to review  
23 and approve the PID; and

1           WHEREAS, This Cooperative Agreement specifies the terms and conditions for the  
2 City's funding contribution of \$200,000 to Caltrans to review and approve the PID; and

3           WHEREAS, Execution of the Cooperative Agreement is a prerequisite for Caltrans  
4 issuing an encroachment permit for the Project; and

5           WHEREAS, Public Works has reviewed the Cooperative Agreement and recommends  
6 that the Board approve it; and

7           WHEREAS, A copy of the Cooperative Agreement is on file with the Clerk of the Board  
8 of Supervisors in File No. 160324 and is incorporated by reference herein; and

9           WHEREAS, The Board of Supervisors finds that entering into a Cooperative  
10 Agreement with Caltrans for this portion of the Project is within the scope of the FEIR, and no  
11 additional environmental review is required under Public Resources Code, Section 2116, and  
12 hereby adopts as its own the Findings of the SFMTA Board Resolution No. 16-031; and

13           WHEREAS, In Public Works Order No. 184563, dated February 2, 2016, the Director of  
14 Public Works recommends that the Board approve the Cooperative Agreement; and

15           WHEREAS, A copy of said Order is on file with the Clerk of the Board of Supervisors in  
16 File No. 160324 and is incorporated by reference herein; now, therefore, be it

17           RESOLVED, That the Board of Supervisors has reviewed the Public Works Order  
18 No. 184563 and accepts the Director of Public Works' recommendation to approve the  
19 Cooperative Agreement with Caltrans apportioning responsibilities for the Project in  
20 substantially the same form as the Agreement attached hereto, including payment of  
21 \$200,000 to Caltrans for its participation in the Project; and, be it

22           FURTHER RESOLVED, That the Board of Supervisors authorizes and directs the  
23 Director of Public Works to execute the Cooperative Agreement and approve any additions,  
24 amendments or other modifications to the Cooperative Agreement that the Director of Public  
25

1 Works, in consultation with the City Attorney, determines is in the best interest of the City, do  
2 not materially increase the obligations or liabilities of the City, or materially decrease the  
3 public benefits accruing to the City, and are necessary or advisable to complete the  
4 transactions contemplated and effectuate the purpose and intent of this Resolution, such  
5 determination to be conclusively evidenced by the execution and delivery by the Director of  
6 Public Works of any such documents; and, be it

7 FURTHER RESOLVED, That within 10 days of executing the Cooperative Agreement,  
8 Public Works forward a copy of the Agreement to the Clerk of the Board for its record keeping  
9 purposes.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25