

1 [Cooperative agreement with the State of California for the Third Street Light Rail Project
2 and supplement to the Freeway Maintenance Agreement.]

3 **Resolution authorizing the Director of Transportation to execute a cooperative**
4 **agreement with the State of California Department of Transportation (Caltrans) and**
5 **the Director of Public Works to execute a supplement to the Freeway Maintenance**
6 **Agreement with the State of California, Department of Transportation (Caltrans).**

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8 WHEREAS, The City and County of San Francisco through its Municipal
9 Transportation Agency desires to construct a new light rail line along Third Street (Third
10 Street Light Rail Project); and,

11 WHEREAS, As part of its new light rail line, the Municipal Transportation Agency
12 desires to make improvements to State Highway Route 101 at Third Street/Bayshore
13 Boulevard consisting of modifications to the existing Third Street Interchange; and

14 WHEREAS, In constructing these improvements, the Third Street Light Rail Transit
15 Project will occupy right-of-way owned and operated by the State of California Department of
16 Transportation (Caltrans); and,

17 WHEREAS, Caltrans requires each municipality performing work within Caltrans'
18 right-of-way to enter into a cooperative agreement with the State which specifies the scope
19 of work and conditions for carrying out the design and construction phases of a
20 municipality's project; and,

21 WHEREAS, Caltrans representatives and City staff have negotiated a cooperative
22 agreement for the design and construction phases of the Third Street Light Rail Project; and,

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1 WHEREAS, The cooperative agreement establishes the scope of improvements on or
2 near the Bayshore Boulevard Overcrossing, including the widening of the existing Bayshore
3 Boulevard Overcrossing structure within the Caltrans right-of-way and generally establishes
4 maintenance responsibilities;

5 WHEREAS, City and Caltrans entered into a Freeway Maintenance Agreement in
6 December 1955 which divides responsibility for maintaining the improvements constructed in
7 Highway 101 within the City between the City and State; and

8 WHEREAS, Caltrans requires an amendment to the Freeway Maintenance Agreement
9 that clarifies and details the ongoing maintenance responsibilities apportioned in the
10 cooperative agreement; and

11 WHEREAS, Caltrans and City staff have negotiated a supplemental freeway
12 maintenance agreement, amending the 1955 Freeway Maintenance Agreement, establishing
13 maintenance responsibility for the light rail facilities on the Caltrans structure; now, therefore,
14 be it

15 WHEREAS, The San Francisco Municipal Railway's Operating Financial Plan (updated
16 June 14, 2002 for an FTA New Starts Submittal) reflects the currently projected cost
17 requirements for funding Third Street revenue operations, which includes Muni's portion of
18 maintenance obligations under this agreement; now, therefore, be it

19 RESOLVED, That the Board of Supervisors authorize the Director of Transportation to
20 execute the cooperative agreement with the State of California authorizing the City to
21 construct improvements on and adjacent to the Highway Route 101 Bayshore Boulevard
22 Overcrossing; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors authorize the Director of Public
2 Works to execute the supplemental freeway maintenance agreement with the State of
3 California which amends the Freeway Maintenance Agreement of December 1955 to
4 apportion ongoing maintenance responsibility between Caltrans and the City for City's
5 improvements in or adjacent to the Highway Route 101 Bayshore Boulevard Overcrossing
6 and the State's right of way.

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