

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 190618-070

WHEREAS, Under the Bay Area Rapid Transit/Muni Market Street Entrance Modernization Project (Canopy Project), Bay Area Rapid Transit intends to install canopies above the entrances to the Bay Area Rapid Transit/Muni stations along Market Street as required by State code to protect newly installed escalators from weather-related damage and to enhance safety; and

WHEREAS, The canopies are going up in conjunction with the Market Street Escalators Renovation Project, which will install and replace 41 escalators in downtown San Francisco, beginning in spring 2020; and

WHEREAS, The canopies will not only protect the new escalators from the wear-and-tear of elements like rain and wind-swept debris, they will provide an added layer of station security and cleanliness through motorized gates that allow the entrances to be locked at the street level when stations are closed; and

WHEREAS, In November 2018, as a pilot project, Bay Area Rapid Transit opened the first two canopies over the Bay Area Rapid Transit/ Muni entrances on Market Street above the Powell Street Station (north side of Market and Ellis Streets) and above the Civic Center Station (south side of Market and 7th Streets); and

WHEREAS, Canopies will be installed at 19 remaining Bay Area Rapid Transit and San Francisco Municipal Transportation Agency entrances above the four downtown San Francisco stations (Embarcadero, Montgomery, Powell, Civic Center); and

WHEREAS, In November 2014, San Francisco voters approved the \$500 million Transportation and Road Improvement General Obligation Bond; and

WHEREAS, On May 16, 2017, the San Francisco Municipal Transportation Agency Board of Directors adopted Resolution No. 170516-065, which recommended, among other things, that the Board of Supervisors appropriate \$3 million from General Obligation Bond sale proceeds to the San Francisco Municipal Transportation Agency to be used to satisfy a portion the City's contribution to Bay Area Rapid Transit for upgrades for the Canopy Project; and

WHEREAS, On February 1, 2018, the City approved Resolution No. 17-18, which authorized the sale of Series 2018B General Obligation Bonds from the 2014 Bond, in an amount not to exceed \$177,000,000; and

WHEREAS, On February 9, 2018, the City approved Ordinance No. 19-18, which appropriated \$3 million from the second issuance and sale of the 2014 General Obligation Bond to satisfy a portion of the City's contribution to Bay Area Rapid Transit for the Canopy Project;

and

WHEREAS, Other disbursements of General Obligation Bond proceeds for the Canopy Project are planned for the future as additional General Obligation Bonds are issued and sold; and

WHEREAS, The San Francisco Municipal Transportation Agency will be the fiscal agent for disbursement of the General Obligation Bond proceeds; and

WHEREAS, On December 21, 2015, Bay Area Rapid Transit filed a Notice of Exemption under the California Environmental Quality Act for Canopy/Escalator Replacement Project – Powell Street and Civic Center Station (pilot project for two canopies at Powell Station and one canopy at Civic Center Station, along with escalator improvements), as defined in Title 14 of the California Code of Regulations Section 15301; and

WHEREAS, On June 28, 2018, the Bay Area Rapid Transit Board of Directors adopted the California Environmental Quality Act findings for the entire Bay Area Rapid Transit Market Street Canopies and Escalators Modernization Project, including the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, and approved the entire Bay Area Rapid Transit Market Street Canopies and Escalators Modernization Project; and

WHEREAS, This proposed Agreement is within the scope of the Canopy/Escalator Replacement Project – Powell Street and Civic Center Station exemption and the Bay Area Rapid Transit Market Street Canopies and Escalators Modernization Project Mitigated Negative Declaration; and

WHEREAS, Copies of the California Environmental Quality Act determinations are on file with the Secretary to the San Francisco Municipal Transportation Agency Board of Directors and may be found in the records of the Bay Area Rapid Transit District at 300 Lakeside Drive, Oakland, and is incorporated herein by reference; and

WHEREAS, The proposed Agreement sets forth the terms and conditions for disbursement of the already issued General Obligation Bond proceeds for the Canopy Project and future disbursements to the Canopy Project up to a total of \$45 million, pending City Board of Supervisors approval and appropriation of future issuances of General Obligation Bonds; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board has reviewed and considered the Canopy/Escalator Replacement Project – Powell Street and Civic Center Station exemption and the Bay Area Rapid Transit Market Street Canopies and Escalators Modernization Project Mitigated Negative Declaration and record as a whole, finds that the exemption and Mitigated Negative Declaration are adequate for the Board's use as the decision-making body for the actions taken herein relative to construction of the Projects, and incorporates the California Environmental Quality Act findings by this reference as though set forth in this Resolution; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board further finds that since the exemption and Mitigated Negative Declaration were finalized, no changes have occurred in the Projects or in the circumstances under which the Projects would be implemented that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the Mitigated Negative Declaration, and that no new information has emerged that would materially change the analysis or conclusions set forth in the Mitigated Negative Declaration; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation to execute Agreement No. 2019-63, Administration of Capital Funding for the Bay Area Rapid Transit/Muni Market Street Entrance Modernization Project, with the San Francisco Bay Area Rapid Transit District, to fund half of the cost of installing canopies over the four Bay Area Rapid Transit/Muni station entrances on Market Street with proceeds from the sale of the second and future issuances of 2014 General Obligation Bonds, in an amount not to exceed \$45,000,000, and for a term beginning as of February 1, 2018, and ending December 31, 2025; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board recommends that the Board of Supervisors approve this Agreement; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board authorizes the Director of Transportation to enter into any amendments or modifications to the Agreement (including, without limitation, the Attachments to the Agreement) that the Director of Transportation determines, in consultation with the City Attorney, are in the best interest of the City, do not materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Agreement or this Resolution, and are in compliance with all applicable laws, including the City's Charter.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 18, 2019.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency