

1 [Termination of Mission Bay Transportation Projects Agreement]
2 APPROVING AND AUTHORIZING THE TERMINATION OF THE MISSION BAY
3 TRANSPORTATION PROJECTS AGREEMENT BETWEEN THE CITY AND COUNTY AND
4 CATELLUS DEVELOPMENT CORPORATION; ADOPTING FINDINGS PURSUANT TO THE
5 CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING FINDINGS THAT SUCH
6 ACTION IS CONSISTENT WITH THE CITY'S GENERAL PLAN AND EIGHT PRIORITY
7 POLICIES OF CITY PLANNING CODE SECTION 101.1.

8 WHEREAS, Pursuant to Board of Supervisors Resolution No. 431-94, the City
9 entered into a Transportation Projects Agreement dated as of May 24, 1994 (the
10 "Transportation Projects Agreement") with Catellus Development Corporation ("Catellus");
11 and,

12 WHEREAS, The Transportation Projects Agreement described various transportation
13 projects in Mission Bay, and the transactions contemplated by the Transportation Projects
14 Agreement have either been accomplished or will be superseded in their entirety in
15 connection with the adoption of the Redevelopment Plans for the Mission Bay North and
16 South Redevelopment Projects and the documents that will be required to implement the
17 Plans, including the owner participation agreements and infrastructure plans attached thereto
18 for the areas; and,

19 WHEREAS, Under the Transportation Projects Agreement, Catellus has conveyed, at
20 no cost to the City, approximately 5.39 acres of land for transportation purposes; and,

21 WHEREAS, Pursuant to Public Transportation Commission Resolution No. 97-054,
22 adopted on March 13, 1997, the Public Transportation Commission found that it was no
23 longer interested in and would not pursue use of the Catellus-Primary Site and the Catellus-
24 Secondary Area as described and defined in such resolution, also referred to as the "Metro

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SUPERVISOR, YAKI, TENG, BIERMAN, MEDINA, BROWN, AMMIANO, KATZ, LENO, YEE
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1 East sites," and released the City's interest therein under the Transportation Projects
2 Agreement; and,

3 WHEREAS, Pursuant to Section 9.7.2 of the Transportation Projects Agreement,
4 Catellus has elected to require the City to reconvey approximately 0.613 acres of land
5 donated by Catellus, described as Parcel 15 in the Transportation Projects Agreement, since
6 such land is no longer needed by the City for the King Boulevard Project and is not required
7 for implementation of the infrastructure plan for the Mission Bay North Redevelopment Plan
8 Area; and,

9 WHEREAS, Pursuant to Public Transportation Commission Resolution
10 No. 98-084, adopted on September 22, 1998, the Public Transportation Commission
11 approved Interagency Cooperation Agreements, including the attached Infrastructure Plans,
12 relating to the Redevelopment Plans for Mission Bay North and South, and recommended
13 adoption of the same by the Board of Supervisors; and,

14 WHEREAS, Pursuant to Public Transportation Commission Resolution
15 No. 98-084, adopted on September 22, 1998, the Public Transportation Commission
16 approved the termination of the Transportation Projects Agreement and recommended
17 adoption of the same by the Board of Supervisors subject to the conditions set forth therein;
18 and,

19 WHEREAS, A copy of the proposed Termination Agreement is on file with the Clerk of
20 the Board in File No. 98-1435 (the "Termination Agreement"); and,

21 WHEREAS, By Ordinance No. 327-98, adopted on October 30, 1998, the
22 Board of Supervisors approved a Redevelopment Plan for the Mission Bay North
23 Redevelopment Project, and by Ordinance No. 335-98, adopted on
24 November 2, 1998, the Board of Supervisors also approved a Redevelopment Plan for
25 the Mission Bay South Redevelopment Project; and,

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1 WHEREAS, On September 17, 1998, the Planning Commission, by Motion
2 No. 14696, and the Redevelopment Agency Commission, by Resolution
3 No. 182-98, certified the Final Subsequent Environmental Impact Report for the
4 Mission Bay Project ("Final SEIR") as accurate, adequate and objective and in compliance
5 with the California Environmental Quality Act ("CEQA"), which certification was affirmed by
6 the Board of Supervisors by Motion No. M98-132; and,

7 WHEREAS, This Board of Supervisors has reviewed and considered the information
8 contained in the Final SEIR; and,

9 WHEREAS, For purposes of compliance with CEQA, the termination of the
10 Transportation Projects Agreement is part of the implementation of the Mission Bay project
11 examined in the Final SEIR for which the Board of Supervisors, by Resolution
12 No. 854-98, has adopted findings with respect to the Final SEIR as required by
13 CEQA, which findings are on file with the Clerk of the Board of Supervisors under File
14 No. 981427; and,

15 WHEREAS, The Planning Commission, by its Resolution No. 14699, adopted
16 on September 17, 1998, found that the termination of the Transportation Projects Agreement
17 is consistent with the General Plan, as amended, and with the eight Priority Policies of
18 Planning Code Section 101.1; now, therefore, be it

19 RESOLVED, That the Board of Supervisors hereby adopts and incorporates the
20 findings under CEQA contained in Resolution No. 854-98 by reference as though
21 such findings were fully set forth in this resolution; and, be it

22 FURTHER RESOLVED, That this Board approves the termination of the
23 Transportation Projects Agreement and hereby authorizes the Director of Public
24 Transportation to terminate the Transportation Projects Agreement pursuant to an instrument

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1 substantially in the form of the Termination Agreement presented to this Board, subject to the
2 conditions set forth herein; and, be it

3 FURTHER RESOLVED, That the termination of the Transportation Projects Agreement
4 shall be subject to the execution and delivery of the Owner Participation Agreements between
5 Catellus and the Redevelopment Agency of the City and County of San Francisco and of the
6 Interagency Cooperation Agreements, between the City and the Redevelopment Agency,
7 with respect to both the Mission Bay North Redevelopment Project and the Mission Bay
8 South Redevelopment Project, and shall further be subject to all such agreements becoming
9 effective, as further provided in the Termination Agreement; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors acknowledges the obligation of
11 the City under Section 9.7.2 of the Transportation Projects Agreement to reconvey a portion
12 of the donated property referred to above, as further provided in the Termination Agreement,
13 and urges the Director of Property to execute and deliver the quitclaim deed substantially in
14 the form attached to the Termination Agreement and take such actions as are necessary or
15 appropriate to fulfill the City's obligations with respect to the quitclaim of such land; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors hereby approves Planning
17 Commission Resolution No. 14697 with respect to the approval of the termination of
18 the Transportation Projects Agreement under this resolution and hereby adopts and
19 incorporates the findings under CEQA contained in such resolution by reference as though
20 such findings were fully set forth in this resolution; and, be it

21 FURTHER RESOLVED, That this Board of Supervisors adopts as its own and
22 incorporates by reference herein as though fully set forth the findings made by the Planning
23 Commission in its Resolution No. 14699 with regard to the finding that the termination of
24 the Transportation Projects Agreement as contemplated hereby is consistent with the General
25 Plan, as amended, and with the eight Priority Policies of Planning Code Section 101.1, for the

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1 reasons stated therein, and hereby adopts and incorporates the findings contained in such
2 resolution by reference as though such findings were fully set forth herein; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes and urges
4 the Director of Transportation (or his designee), to take any and all actions, including
5 executing on behalf of the City, including through its Public Transportation Commission, any
6 agreement or other instrument that is necessary or proper to effect or evidence the
7 termination of the Transportation Projects Agreement in accordance with this resolution, or to
8 otherwise effectuate the purposes and intent of this resolution (including, without limitation,
9 the quitclaim of the portion of the donated property required to be reconveyed pursuant to
10 Section 9.7.2 of the Transportation Projects Agreement), such determination to be
11 conclusively evidenced by the execution and delivery by such person or persons of any such
12 documents; and, be it

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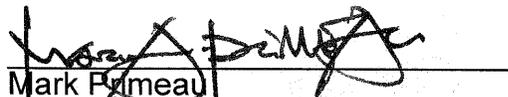
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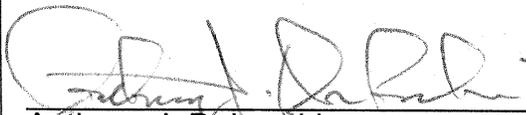
SUPERVISOR YAKI
BOARD OF SUPERVISORS

1 FURTHER RESOLVED, That the approval under this resolution shall take effect upon
2 the effective date of the amendments to the General Plan approved under Board of
3 Supervisors Ordinance No. 324-98, adopted on October 30, 1998.

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5 RECOMMENDED:

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7 
8 Emilio Cruz
9 Director of Public Transportation

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12 Mark Primeau
13 Director of Public Works

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15 Anthony J. DeLucchi
16 Director of Property

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SUPERVISOR YAKI
BOARD OF SUPERVISORS



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Resolution

File Number: 981439

Date Passed:

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

October 19, 1998 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

October 26, 1998 Board of Supervisors — ADOPTED

Ayes: 10 - Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee, Ammiano

Excused: 1 - Kaufman

File No. 981439

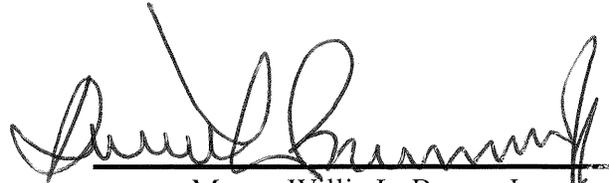
I hereby certify that the foregoing Resolution was ADOPTED on October 26, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 30 1998

Date Approved



Mayor Willie L. Brown Jr.

File No. 981439 continued...