

1 [Cooperative Agreement - State of California Department of Transportation (Caltrans) -  
2 Design and Construction of the Lombard Street Vision Zero Project (State Route 101)]

3 **Resolution approving the Cooperative Agreement between San Francisco and the State**  
4 **of California Department of Transportation (Caltrans) concerning the design and**  
5 **construction of the Lombard Street Vision Zero Project, including pedestrian safety,**  
6 **transit improvements, and utility upgrades along Lombard Street (State Route 101)**  
7 **between Francisco Street and Van Ness Avenue; and making environmental findings.**

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9 WHEREAS, The purpose of the Lombard Street Vision Zero Project (Project) is to  
10 improve safety for pedestrians and transit riders; to improve transit speed and reliability; and  
11 to reduce travel time by optimizing transit stop locations; and

12 WHEREAS, The Project would increase the reliability of water transmission services  
13 and wastewater services; and

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

17 WHEREAS, The Planning Department analyzed this Project in the Transit  
18 Effectiveness Project Final Environmental Impact Report (FEIR), which the San Francisco  
19 Planning Commission certified 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 Chapter 31 of the Administrative Code and  
24 a Mitigation Monitoring and Reporting Program (MMRP); and

1           WHEREAS, The Planning Commission Motion and SFMTA Resolution, Findings, and  
2 MMRP are on file with the Clerk of the Board of Supervisors in File No. 170129 and are  
3 incorporated herein by reference; and

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

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

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

17           WHEREAS, A copy of SFMTA Resolution No. 16-031 is on file with the Clerk of the  
18 Board of Supervisors in File No. 170129 and is incorporated herein by reference; and

19           WHEREAS, San Francisco (City) and the State of California Department of  
20 Transportation (Caltrans) desire to effectuate an agreement (Cooperative Agreement or  
21 Agreement) that defines the terms and conditions under which the Project will be designed  
22 and constructed; and

23           WHEREAS, A copy of the Cooperative Agreement is on file with the Clerk of the Board  
24 of Supervisors in File No. 170129 and is incorporated by reference herein; and

1           WHEREAS, Said Cooperative Agreement provides that the City is the implementing  
2 agency for environmental, design, and construction of the Project and the City is responsible  
3 for 100% of the costs incurred as the implementing agency and Caltrans is responsible for the  
4 costs Caltrans incurs performing independent quality assurance, and review and approval of  
5 design and construction documents; and

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

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

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

14          WHEREAS, In Public Works Order No. 184920, dated May 25, 2016, the Director of  
15 Public Works recommends that the Board approve the Cooperative Agreement; and

16          WHEREAS, A copy of said Order is on file with the Clerk of the Board of Supervisors in  
17 File No. 170129 and is incorporated by reference herein; now, therefore, be it

18          RESOLVED, That the Board of Supervisors has reviewed the Public Works Order  
19 No. 184920 and accepts the Director of Public Works' recommendation to approve the  
20 Cooperative Agreement with Caltrans apportioning responsibilities for the Project in  
21 substantially the same form as set forth in the Agreement; 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 Works, in consultation with the City Attorney, determines is in the best interest of the City, do

1 not materially increase the obligations or liabilities of the City or materially decrease the public  
2 benefits accruing to the City, and are necessary or advisable to complete the transactions  
3 contemplated and effectuate the purpose and intent of this Resolution; and, be it

4 FURTHER RESOLVED, That within 10 days of executing the Cooperative Agreement,  
5 Public Works shall forward a copy of the Agreement to the Clerk of the Board of Supervisors  
6 for its record keeping purposes.

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