

FILE NO. 010231

2/12/01

File Copy RESOLUTION NO.

104-01

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1 [Transbay Terminal Joint Exercise of Powers Agency]

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3 **Resolution authorizing the City and County of San Francisco to form a joint powers**

4 **agency for the purpose of developing, designing, constructing and operating a new**

5 **intermodal transit facility on and adjacent to the site of the existing Transbay Terminal,**

6 **approving a form of the agreement creating the joint exercise of powers agency, urging**

7 **the Bay Area Toll Authority to allocate funds to the development project, and urging**

8 **the State Legislature to appropriate funds and transfer real property to support**

9 **development of the new transit facility.**

10

11 WHEREAS, The "Transit First Policy" in Section 16.102 of the Charter of the City and

12 County of San Francisco ("City") declares that the City shall promote the use of regional mass

13 transit and the continued development of an integrated, reliable, regional transportation

14 system; and

15 WHEREAS, On November 2, 1999, the voters of the City adopted Proposition H, which

16 declares that the Caltrain commuter rail line shall be extended downtown to a regional

17 intermodal transit station (the "Caltrain Extension"); and,

18 WHEREAS, Proposition H declares that a new or rebuilt terminal shall be constructed

19 on the present site of the Transbay Terminal to serve Caltrain, regional and intercity bus lines,

20 the Municipal Transit Agency ("MUNI" or "MUNI Metro"), and high speed rail, with convenient

21 connections to Bay Area Rapid Transit ("BART") and MUNI Metro; and,

22 WHEREAS, Proposition H acknowledges that a world-class transit station connecting

23 Caltrain, MUNI, and intercity bus lines such as the Alameda-Contra Costa Transit District ("AC

24 Transit") with high-speed rail, located within easy walking distance of downtown, and with

25

1 direct connections to BART and MUNI Metro would help the City maintain San Francisco's  
2 role as the economic and cultural center of Northern California; and,

3 WHEREAS, Proposition H declares that City officers and agencies shall take all  
4 appropriate actions to generate the revenue necessary to finance the Caltrain Extension to  
5 downtown and transit facility construction; and,

6 WHEREAS, After two years of work by the thirty member Transbay Panel, under the  
7 leadership of the Metropolitan Transportation Commission, the City of San Francisco, AC  
8 Transit, Caltrans and the Peninsula Corridor Joint Powers Board-Caltrain (the "JPB"), an  
9 informed, transit-based, site-appropriate conceptual design has been proposed for  
10 construction of a new Transbay Terminal (the "Terminal Plan"); and,

11 WHEREAS, The Terminal Plan proposal was approved by the Executive Committee of  
12 the Transbay Panel with multi-agency constituent support, including transit districts such as  
13 BART and the Golden Gate Bridge, Highway and Transportation District, other transit and bus  
14 operators, and various City departments; and,

15 WHEREAS, In September, 2000, the Bay Area Toll Authority ("BATA") formally  
16 approved the Terminal Plan;

17 WHEREAS, In December of 1994, this Board of Supervisors designated a Transbay  
18 Redevelopment Survey Area which includes blighted areas such as the seismically-damaged  
19 Transbay Terminal and ramp structures, and also includes land left vacant due to demolition  
20 of the Terminal Separator Structure and Embarcadero Freeway after the 1989 Loma Prieta  
21 earthquake; and,

22 WHEREAS, Redevelopment of the Transbay Terminal site and surrounding areas will  
23 alleviate current blight conditions and provide opportunities for new housing and businesses in  
24 a transit-oriented neighborhood, and will provide a world-class transit gateway into the  
25 downtown area and outward to the entire San Francisco Bay area; and,

1           WHEREAS, Redevelopment of the area surrounding the Transbay Terminal requires  
2 that the State of California transfer several State-owned parcels of land within the Survey  
3 Area to the City and County of San Francisco or to the San Francisco Redevelopment  
4 Agency; and,

5           WHEREAS, The existing Transbay Terminal serves as a vital link in meeting  
6 transportation needs of commuters between the East Bay and the City, and Caltrans intends  
7 to demolish a portion of the eastern ramp from the Bay Bridge into the Terminal in order to  
8 construct a temporary Fremont Street automobile ramp, and such demolition will cause the  
9 addition of 800 buses each day to City Streets; and,

10          WHEREAS, The Terminal Plan includes temporary restoration of the eastern ramp to  
11 provide efficient bus access to the existing Terminal, and direct access to a temporary  
12 terminal during construction of the new Terminal Plan facility; and,

13          WHEREAS, The temporary restoration or reconstruction of ramp structures is critical to  
14 implementation of the Terminal Plan, and necessary to minimize impacts on commuters and  
15 City streets; and,

16          WHEREAS, Construction of a new transit terminal and the associated Caltrain  
17 Extension are a single project and should be jointly funded; and,

18          WHEREAS, In March, 2001, consultant contracts funded by BATA for work on the  
19 Terminal Plan will terminate and further design and engineering work on the Terminal Plan will  
20 cease, unless an entity is formed and funded to manage additional development and continue  
21 the momentum achieved by the Transbay Panel to reach the collective goal of  
22 groundbreaking in 2003 and of hosting the grand opening of the Terminal in 2007; and,

23          WHEREAS, The Caltrain Extension should be developed concurrently with the  
24 Terminal Plan and the projects should be managed by a single entity; and,

1           WHEREAS, The City, acting through the Mayor's Office of Economic Development,  
2 proposes the formation of a joint exercise of powers agency ("JPA") with the City, AC Transit,  
3 and the JPB as members, to develop, design, construct, and operate a new transit terminal  
4 and related facilities on and adjacent to the existing Transbay Terminal site, and the proposed  
5 JPA shall have authority to issue bonds and other evidences of indebtedness to help finance  
6 such purposes; and,

7           WHEREAS, In order to form a JPA, the City must enter into a joint exercise of powers  
8 agreement; and,

9           WHEREAS, The proposed JPA should be governed by a five-member board of  
10 directors, with one member appointed by the JPB, one member appointed by AC Transit, one  
11 member appointed by the Mayor of the City and County of San Francisco, one member  
12 appointed by the Municipal Transportation Agency Board of Directors subject to affirmative  
13 confirmation by the Board of Supervisors, and one member of the San Francisco Board of  
14 Supervisors appointed by the Board of Supervisors; and

15           WHEREAS, The Board of Supervisors hereby ratifies all prior actions taken by City  
16 staff to form the proposed JPA; and

17           WHEREAS, The proposed Terminal Plan and the Caltrain Extension will involve  
18 continued public input into transit facility design and construction through public hearings and  
19 public comment before both local and regional agencies for review under the California  
20 Environmental Quality Act and other laws; now, therefore, be it

21           RESOLVED, That the Board hereby finds and declares the above recitals are true and  
22 correct; and, be it

23           FURTHER RESOLVED, That it shall be the official policy of the City and County of San  
24 Francisco to coordinate and commit its resources in support of the planning and  
25

1 redevelopment efforts required to implement the proposed Terminal Plan and Caltrain  
2 Extension for a world-class intermodal transit facility; and, be it

3 FURTHER RESOLVED, That pursuant to Section 6502 of the Government Code the  
4 Board of Supervisors hereby authorizes the City and County of San Francisco to form a joint  
5 exercise of powers agency and to execute a joint exercise of powers agreement, a form of  
6 which is on file with the Clerk of the Board of Supervisors in File No. 010231, which is hereby  
7 declared to be a part of this resolution as if set forth fully herein with such changes, additions  
8 and modifications as the Mayor may make or approve upon consultation with the City Attorney  
9 and the Executive Director of the San Francisco County Transportation Authority, the Mayor's  
10 approval to be conclusively evidenced by the execution and delivery by the Mayor of the joint  
11 exercise of powers agreement; and, be it

12 FURTHER RESOLVED, That the California legislature is urged to enact legislation  
13 requested by the City to provide necessary state-owned real property, funding, and other  
14 measures necessary to support development of the proposed Terminal Plan and Caltrain  
15 Extension to fulfill the transit and transportation needs of the City and the San Francisco Bay  
16 Area for the next century; and, be it

17 FURTHER RESOLVED, That BATA is urged to allocate monies from existing seismic  
18 surcharge revenues to the JPA immediately upon formation, in sufficient and reasonable  
19 amounts to fund JPA operations and contracts for the Terminal Plan and Caltrain Extension  
20 until such time as other funds become available, so that members of the proposed JPA will  
21 not be responsible for any costs; and, be it

22 FURTHER RESOLVED, That consistent with the Transit First Policy of the Charter of  
23 the City and County of San Francisco, the Board of Supervisors hereby urges the JPA  
24 Directors to approve agreements and leases with AC Transit to ensure that design,  
25 construction, and operation of the new Transbay Terminal meet specific performance criteria

1 designed to maximize the usefulness of the facility for transit operations and pedestrian  
2 circulation without increases in facility rental costs; and, be it

3 FURTHER RESOLVED, That Caltrans is urged to temporarily replace any portions of  
4 the eastern Transbay Terminal ramp demolished in conjunction with work on the Fremont  
5 Street ramp until such time as the Terminal Plan facility becomes operational, and to construct  
6 and/or reconstruct portions of the western ramp as necessary to provide for efficient operation  
7 of transit vehicles; and, be it

8 FURTHER RESOLVED, That the Mayor and all officers of the City and their agents are  
9 hereby authorized and urged, jointly and severally, to do any and all things and to execute  
10 and deliver any and all certificates and other documents, in addition to the documents referred  
11 to in this Resolution, which they or the City Attorney may deem necessary or advisable in  
12 order to effectuate the purposes of this Resolution.



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Resolution

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**File Number:** 010231

**Date Passed:**

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.

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February 12, 2001 Board of Supervisors — SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA

February 12, 2001 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

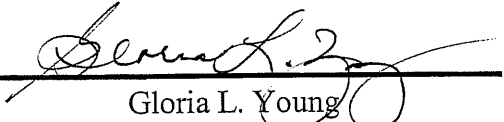
February 12, 2001 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval

Absent: 2 - Newsom, Yee

File No. 010231


I hereby certify that the foregoing Resolution was **ADOPTED AS AMENDED** on February 12, 2001 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

FEB 16 2001

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Date Approved

  
Mayor Willie L. Brown Jr.