

1 [Memoranda of Agreements - Treasure Island Development Authority and Yerba Buena Island
2 Ramps Project - \$81,700,000]

3 **Resolution retroactively approving two Memoranda of Agreements between the City,**
4 **acting through the Treasure Island Development Authority and the San Francisco**
5 **County Transportation Authority: 1) one for right of way services and the completion of**
6 **engineering and design work, and authorizing the acceptance and subsequent transfer**
7 **of real estate interests for the Yerba Buena Island Ramps Project; and 2) to complete**
8 **the construction phases of the Yerba Buena Island Ramps Project; for a total of**
9 **81,700,000 for the period of July 1, 2013, through December 31, 2013; and making**
10 **environmental review findings.**

11
12 WHEREAS, Former Naval Station Treasure Island is a military base located on
13 Treasure Island and Yerba Buena Island (together, the "Base"), which is currently owned by
14 the United States of America, acting by and through the Department of the Navy; and

15 WHEREAS, The Base was selected for closure and disposition by the Base
16 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its
17 subsequent amendments; and

18 WHEREAS, Under the Treasure Island Conversion Act of 1997, which amended
19 Section 33492.5 of the California Health and Safety Code and added Section 2.1 to Chapter
20 1333 of the Statutes of 1968 (the "Act"), the California Legislature (i) designated the Treasure
21 Island Development Authority ("TIDA") as a redevelopment agency under California
22 redevelopment law with authority over the Base upon approval of the City's Board of
23 Supervisors, and (ii) with respect to those portions of the Base which are subject to Tidelands
24
25

1 Trust, vested in TIDA the authority to administer the public trust for commerce, navigation and
2 fisheries as to such property; and

3 WHEREAS, The Board of Supervisors approved the designation of TIDA as a
4 redevelopment agency for Treasure Island in 1997; and

5 WHEREAS, On January 24, 2012, the Board of Supervisors rescinded designation of
6 TIDA as the redevelopment agency for Treasure Island under California Community
7 Redevelopment Law in Resolution No. 11-12, and such rescission does not affect TIDA's
8 status as the Local Reuse Authority for Treasure Island or the Tidelands Trust trustee for the
9 portions of Treasure Island subject to the Tidelands Trust, or any of the other powers of TIDA;
10 and

11 WHEREAS, After a competitive bid process, the TIDA Board selected Treasure Island
12 Community Development, LLC as the proposed master developer of the Base and entered
13 into a Disposition and Development Agreement and other transaction documents relating to
14 the reuse and development of the Base; and

15 WHEREAS, The Treasure Island Transportation Management Act of 2008 ("AB 981")
16 authorized the creation or designation of a Treasure Island-specific transportation
17 management agency for Treasure Island, and authorized the Board of Supervisors to
18 designate a board or agency to act as a transportation management agency for Treasure
19 Island; and

20 WHEREAS, In April and June 2011, the TIDA Board and the Board of Supervisors
21 approved numerous transactions and entitlement documents related to the Project, including
22 the Treasure Island Transportation Management Plan ("TIP"); and

23 WHEREAS, The San Francisco County Transportation Authority ("SFCTA") is the
24 congestion management agency for San Francisco, and the SFCTA has an ongoing, positive
25

1 relationship with TIDA, including planning, design and implementation of the Treasure
2 Island/Yerba Buena Island Ramps Project (the "Ramps Project"); and

3 WHEREAS, In July 2008, TIDA and the SFCTA entered into a memorandum of
4 agreement for project management and oversight, engineering and environmental services for
5 the Ramps Project (the "Environmental MOA"), which must be increased by \$750,000 to
6 complete preliminary engineering and design for the Ramps Project; and

7 WHEREAS, TIDA and SFCTA staff have negotiated two Memoranda of Agreement, a
8 copy of which is on file with the Clerk of the Board in File No. 130737 (the "Memoranda of
9 Agreement"), in furtherance of the Ramps Project. The Memorandum of Agreement, which is
10 substantially in the same form as the Environmental MOA, authorize the SFCTA to take
11 actions necessary to satisfy right of way certification conditions and provide project
12 management and administrative services in order to start and complete the construction
13 phase for the Ramps Project. The Memorandum of Agreement for right of way services
14 acknowledges the \$750,000 increase needed to complete the preliminary engineering and
15 design work; and

16 WHEREAS, The Final Environmental Impact Report/Environmental Impact Statement
17 for the Ramps Project ("EIR/EIS"), with Caltrans as the National Environmental Policy Act lead
18 agency under delegation from the Federal Highway Administration and the SFCTA as the
19 California Environmental Quality Act lead agency, was approved in December 2011. The
20 Ramps Project has not changed since the approval of the EIR/EIS, and the Board of
21 Supervisors has reviewed and considered the EIR/EIS; now, therefore, be it

22 RESOLVED, That the Board of Supervisors finds that since the EIR/EIS was finalized,
23 there have been no substantial project changes and no substantial changes in project
24 circumstances that would require revisions to the EIR/EIS due to the involvement of new
25 significant environmental effects or an increase in the severity of previously identified

1 significant impacts, and there is no new information of substantial importance that would
2 change the conclusions set forth in the EIR/EIS; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby approves the two
4 Memoranda of Agreements between the City, acting through TIDA, and the SFCTA in
5 substantially the form on file with the Clerk of the Board; and, be it

6 FURTHER RESOLVED, That the Treasure Island Director and the City's Real Estate
7 Director are authorized to accept from the U.S. Government such real estate interests, in fee
8 and in easement, as may be needed to effectuate the Ramps Project and, following
9 completion of the Ramps Project, to transfer such real estate interests to Caltrans or its
10 designee. Any such transfer shall be without payment of monetary consideration, and shall
11 be for the property in its "as is" condition; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Treasure
13 Island Director to enter into any additions, amendments or other modifications to the
14 Memoranda of Agreement that the Treasure Island Director determines in consultation with
15 the City Attorney are in the best interests of the City, that do not materially increase the
16 obligations or liabilities of the City, that do not materially reduce the rights of the City, and are
17 necessary or advisable to complete the transactions contemplated by the Memoranda of
18 Agreement, such determination to be conclusively evidenced by the execution and delivery
19 by the Treasure Island Director of the documents and any amendments thereto.



City and County of San Francisco
Tails
Resolution

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

File Number: 130737

Date Passed: July 30, 2013

Resolution retroactively approving two Memoranda of Agreements between the City, acting through the Treasure Island Development Authority and the San Francisco County Transportation Authority: 1) one for right of way services and the completion of engineering and design work, and authorizing the acceptance and subsequent transfer of real estate interests for the Yerba Buena Island Ramps Project; and 2) to complete the construction phases of the Yerba Buena Island Ramps Project; for a total of \$81,700,000 for the period of July 1, 2013, through December 31, 2013; and making environmental review findings.

July 24, 2013 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 24, 2013 Budget and Finance Committee - RECOMMENDED AS AMENDED

July 30, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130737

I hereby certify that the foregoing Resolution was ADOPTED on 7/30/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved