

1 [BART/SFIA On-Airport Project Development Agreement Modification]

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3 **Resolution approving Modification No. 1 to the BART/SFIA On-Airport Project**  
4 **Development Agreement, as it relates to the on-Airport ~~portion~~ portion of the BART to**  
5 **San Francisco Airport Extension project, which is by and between the City and County**  
6 **of San Francisco, acting by and through its Airport Commission (“SFIA”), and the Bay**  
7 **Area Rapid Transit District (“BART”).**

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9 WHEREAS, The BART/SFIA On-Airport Project Development Agreement  
10 (“Development Agreement”) provides the terms and conditions for construction of the on-  
11 Airport portion of the BART to San Francisco Airport Extension project; and

12 WHEREAS, The Development Agreement provides that SFIA’s obligation to fund  
13 Eligible Costs of the BART Fixed Facilities shall not exceed \$113 million, and to fund Eligible  
14 Costs of the BART Operating Systems/12kV Line shall not exceed \$87 million; and

15 WHEREAS, On March 20, 1998, by Resolution No. 183-98, the Board of Supervisors  
16 approved the Development Agreement; and

17 WHEREAS, SFIA and BART desire to modify the Development Agreement to  
18 authorize the Airport Director to reallocate funding between the on-Airport BART Fixed  
19 Facilities and the on-Airport BART Operating Systems; and

20 WHEREAS, This Modification No. 1 authorizes the Airport Director to reallocate  
21 projected savings from the BART Operating Systems/12kV Line work to certain projected  
22 overruns in the Eligible Costs of the BART Fixed Facilities; provided that in no event will  
23 SFIA’s financial obligation for the On-Airport BART Project exceed \$200 million; and further  
24 provided that the airlines’ repayment obligation for BART does not exceed the debt service on  
25 \$113 million; and

1           WHEREAS, The Airport Commission approved this Modification by resolution on  
2 July 3, 2001; now, therefore, be it

3           RESOLVED, Pursuant to San Francisco Charter Section No. 9.118, that the Board of  
4 Supervisors hereby approves Modification No. 1 to the Development Agreement, a copy of  
5 which is on file with the Clerk of the Board of Supervisors, in File No. \_\_\_\_\_,  
6 which is hereby declared to be a part of this resolution as if set forth fully herein.

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