

1 [Management and Operation Agreement Amendment - San Francisco Municipal
2 Transportation Agency - Friends of the Cable Car Museum - Term Extension]

3 **Resolution approving the second amendment to the Management and Operation**
4 **Agreement between the San Francisco Municipal Transportation Agency and Friends**
5 **of the Cable Car Museum, extending the term for five years effective July 1, 2024, for a**
6 **total term of July 1, 2009, through June 30, 2029.**

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8 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) operates a
9 cable car “barn” facility in a building located at 1201 Mason St. in the City and County of San
10 Francisco, the building consists of SFMTA’s cable car maintenance facility and a Cable Car
11 Museum which is under SFMTA jurisdiction; and

12 WHEREAS, The Cable Car Museum provides a free educational museum experience
13 for residents and tourists alike, the Museum has various artifact displays including antique
14 cable cars, an observation deck overlooks the winding wheels pulls the cable car cables, and
15 a gift shop area; and

16 WHEREAS, On September 1, 2009, the SFMTA Board of Directors adopted Resolution
17 No. 09-155, authorizing the Director of Transportation to execute a Management and
18 Operation Agreement (Agreement) between SFMTA and Friends of the Cable Car Museum
19 (FCCM) to manage and operate the museum and gift shop for a ten-year term with two five-
20 year options to extend upon Board of Supervisors approval; and

21 WHEREAS, On November 3, 2009, the Board of Supervisors adopted Resolution No.
22 432-09 approving the Management and Operation Agreement between the SFMTA and
23 FCCM; and

24 WHEREAS, On November 16, 2021, the SFMTA Board of Directors adopted
25 Resolution No. 211116-135, which authorized the Director of Transportation to execute a First

1 Amendment for an additional five-year term retroactively on July 1, 2019, and on May 10,
2 2022, the Board of Supervisors adopted Resolution No. 191-22, which approved that same
3 First Amendment.

4 WHEREAS, The proposed Second Amendment to the Management and Operation
5 Agreement (Second Amendment) would exercise the second extension option to allow the
6 Agreement term for additional five years effective July 1, 2024 and would generate \$237,733
7 in total Concession Fees for the SFMTA which includes adjustments of annual Concession
8 Fees; and

9 WHEREAS, On February 20, 2024, the SFMTA, under authority delegated by the
10 Planning Department, determined that the Second Amendment to the Cable Car Museum
11 contract is not defined as a “project” under the California Environmental Quality Act (CEQA)
12 pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and

13 WHEREAS, On April 2, 2024, the SFMTA Board of Directors approved Resolution No.
14 240402-031, authorizing the Director of Transportation of the SFMTA to execute the Second
15 Amendment and to forward to the Board of Supervisors for final approval; and

16 WHEREAS, Consistent with Section 9.118 of the San Francisco Charter, the Second
17 Amendment of the Agreement requires Board of Supervisors approval because of the term of
18 the Agreement and the Second Amendment exceeds ten (10) years; and

19 WHEREAS, A copy of the Second Amendment to the Management and Operation
20 Agreement is on file with the Clerk of the Board of Supervisors in File No. ____, which is
21 hereby declared to be part of this Resolution as if set forth fully herein; now, therefore, be it

22 RESOLVED, That the Board of Supervisors approves the Second Amendment to the
23 Management and Operations Agreement between San Francisco Municipal Transportation
24 Agency and the Friends of the Cable Car Museum to extend the term of the Agreement for an
25 additional five years effective July 1, 2024; and be it

1 FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
2 executed by all parties, the Director of Transportation of the SFMTA shall provide the final
3 agreement to the Clerk of the Board for inclusion into the official file.