

1 [Freeway Maintenance Agreement - Interchange at Highway 101/ Richardson Avenue - Lyon
2 Street]

3 **Resolution: 1) approving a Freeway Maintenance Agreement with the State of California**
4 **apportioning maintenance responsibilities for Highway 101/Richardson Avenue at Lyon**
5 **Street; and 2) authorizing the Director of Public Works to execute said Agreement on**
6 **behalf of the City.**

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8 WHEREAS, State Cooperative Agreement No. 04-1916-C was executed between the
9 State of California, acting by and through the Department of Transportation("State"), and the
10 Presidio Trust, not a party to the Freeway Maintenance Agreement, to construct
11 improvements to that portion of State Highway Route 101 from Francisco Street to the Marina
12 Viaduct ("Presidio Trust Improvements"); and

13 WHEREAS, The State and Presidio Trust have executed a Freeway Maintenance
14 Agreement Document File No. SF-38-015936 to clarify the division of maintenance
15 responsibility for such improvements constructed pursuant to said Cooperative Agreement. A
16 copy of said Agreement is on file with the Clerk of the Board of Supervisors in File No.
17 _____ and is incorporated herein by reference; and

18 WHEREAS, The State and the Department of Public Works, acting on behalf of the
19 City and County of San Francisco, mutually desire to clarify the division of maintenance
20 responsibility for such improvements constructed pursuant to said Cooperative Agreement as
21 to City streets or portions thereof and improvements and landscaped areas within or outside
22 the freeway limits; and

23 WHEREAS, The State and City staff have negotiated a Freeway Maintenance
24 Agreement, a copy of which is on file with the Clerk of the Board of Supervisors in File No.

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1 _____ and is incorporated herein by reference. Said Agreement establishes
2 maintenance responsibility for the above-mentioned Presidio Trust Improvements; and

3 WHEREAS, The Department of Public Works and other affected City departments will
4 be entering into an interdepartmental Memorandum of Understanding that delineates the
5 responsibilities of each department in regard to the City maintained improvements; and

6 WHEREAS, The City has resumed or will resume control and maintenance over each
7 of the relocated or reconstructed City streets except on those portions thereof identified in the
8 Agreement; and

9 WHEREAS, The Agreement, except as specifically provided for herein, does not effect
10 the terms of prior written agreements, which include, but are not limited to, various
11 agreements for maintenance of State Highways in the City and County of San Francisco; and

12 WHEREAS, The Board accepts the recommendations set forth in DPW Order No.
13 180,020 concerning said Agreement. A copy of the DPW Order is on file with the Clerk of the
14 Board of Supervisors in File No. _____ and is incorporated herein by reference;
15 now, therefore, be it

16 RESOLVED, That the Board of Supervisors approves the Freeway Maintenance
17 Agreement for Highway 101/Richardson Avenue at Lyon Street and authorizes the Director of
18 Public Works to execute the Agreement with the State; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors authorizes the City to assume
20 the maintenance responsibilities over the particular Presidio Trust Improvements that are
21 mentioned in the Freeway Maintenance Agreement (under section 2(B)); and, be it

22 FURTHER RESOLVED, That the Board of Supervisors delegates to the DPW Director
23 the authority to administratively approve minor amendments to the Freeway Maintenance
24 Agreement (as contemplated under Section 2(E)); and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors delegates to the DPW Director,
2 with the consent of the General Manager of the San Francisco Municipal Transportation
3 Agency, that authority to assume maintenance of the traffic devices if State delegates this
4 responsibility to the City (under Section 3(B)); and, be it

5 FURTHER RESOLVED, That the Board hereby directs the Clerk to send four (4)
6 certified copies of this Resolution to the State at an address to be provided by the Director of
7 the Department of Public Works.

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