

1 [Cooperative Agreement - Caltrans - 19th Avenue Combined City Project]

2

3 **Resolution approving a cooperative agreement between the City and County of San**
4 **Francisco and the State of California Department of Transportation concerning the**
5 **design and construction of the 19th Avenue combined City project including**
6 **pedestrian safety, transit improvements, and utility upgrades along 19th Avenue**
7 **between Junipero Serra Boulevard and Lincoln Way.**

8

9 WHEREAS, The purpose of the 19th Avenue Combined City project (Project) is to
10 improve safety for pedestrians and transit riders; to improve transit speed and reliability; and
11 to reduce travel time by optimizing transit stop locations along State Route 1; and

12 WHEREAS, In addition, the Project also would increase the reliability of water
13 transmission services and wastewater services and enhance emergency responses by
14 improving the Auxiliary Water Supply System (AWSS) and constructing four crossings of the
15 Flexible Water Supply System (FWSS); and

16 WHEREAS, The Project's construction of the utility upgrades in conjunction with the
17 surface improvements would serve to minimize the overall construction disruption to the
18 corridor and its many users; and

19 WHEREAS, On July 7, 2015, the San Francisco Municipal Transportation Agency
20 (SFMTA) Board of Directors approved the project elements along the 28 - 19th Avenue Muni
21 transit corridor included in the Muni Forward Service-Related Capital Improvements and
22 Travel Time Reduction Proposals, under Resolution No. 15-107; and

23 WHEREAS, The Resolution also included findings under the California Environmental
24 Quality Act, Public Resources Code, Sections 21000 et seq. (CEQA) and included elements
25 that are part of the Project; and

1 WHEREAS, A copy of this Resolution is on file with the Clerk of the Board of
2 Supervisors in File No. 160559 and is incorporated herein by reference; and

3 WHEREAS, The City and State of California Department of Transportation (Caltrans)
4 desire to effectuate an agreement that defines the terms and conditions under which the
5 Project is to be constructed, financed, and maintained (the Cooperative Agreement); and

6 WHEREAS, Said Cooperative Agreement provides that the City will design, construct,
7 and finance the Project; and that Caltrans will provide independent quality assurance for the
8 work within the state highway system right-of-way, provide review and approval of project
9 documents as listed in the Cooperative Agreement, and issue, upon proper application, the
10 encroachment permits required for Project completion; and

11 WHEREAS, Execution of the Cooperative Agreement is a prerequisite for Caltrans
12 issuing an encroachment permit for the Project; and

13 WHEREAS, Public Works and Caltrans have reviewed the Cooperative Agreement and
14 recommend its approval; and

15 WHEREAS, A copy of said Cooperative Agreement is on file with the Clerk of the
16 Board of Supervisors in File No. 160559 and is incorporated herein by reference; and

17 WHEREAS, In Public Works Order No. 184706, dated March 21, 2016, the Director of
18 Public Works recommends that the Board accept the Cooperative Agreement; and

19 WHEREAS, A copy of said Order is on file with the Clerk of the Board of Supervisors in
20 File No. 160559 and is incorporated by reference as though fully set forth herein; and

21 WHEREAS, The Project was analyzed in the Transit Effectiveness Project Final
22 Environmental Impact Report (FEIR) that the San Francisco Planning Commission certified in
23 Motion No. 19105 on March 27, 2014; and

24 WHEREAS, Said Motion is on file with the Clerk of the Board and is incorporated
25 herein by reference; and

1 WHEREAS, As part of the Resolution No. 14-041, the SFMTA Board of Directors
2 adopted approval findings under CEQA, the CEQA Guidelines, and Chapter 31 of the
3 Administrative Code (collectively CEQA Findings) and a Mitigation Monitoring and Reporting
4 Program (MMRP) for the Transit Effectiveness Project; and

5 WHEREAS, The Resolution, CEQA Findings, and MMRP are on file with the Clerk of
6 the Board of Supervisors in File No. 160559 and are incorporated herein by reference; and

7 WHEREAS, The Board adopts these CEQA findings and those included in SFMTA
8 Board of Directors Resolution No. 15-107 as its own; and

9 WHEREAS, This Board reviewed the FEIR and found that since certification of the
10 FEIR, no changes have occurred in the proposed project or in the circumstances under which
11 the project would be implemented that would cause new significant impacts or a substantial
12 increase in the severity of impacts identified and analyzed in the FEIR, and that no new
13 information of substantial important has emerged that would change the analyses or
14 conclusions set forth in the FEIR; and

15 WHEREAS, The actions approved herein would not necessitate implementation of
16 additional or considerably different mitigation measures than those identified in the FEIR; and

17 WHEREAS, The Board of Supervisors finds that entering into a Cooperative
18 Agreement with Caltrans for construction of the Project is within the scope of the FEIR and
19 that no additional environmental review is required under Public Resources Code, Section
20 21166; now, therefore, be it

21 RESOLVED, That the Board of Supervisors has reviewed the Public Works Order
22 No. 184706 and accepts the Director of Public Works' recommendation to approve the
23 Cooperative Agreement with Caltrans apportioning responsibilities for the Project in
24 substantially the same form as the Agreement on file with the Clerk; and, be it
25

1 FURTHER RESOLVED, That the Board of Supervisors authorizes and directs the
2 Director of Public Works to approve any additions, amendments or other modifications to the
3 Cooperative Agreement that the Director of Public Works, in consultation with the City
4 Attorney, determines is in the best interest of the City, do not materially increase the
5 obligations or liabilities of the City, or materially decrease the public benefits accruing to the
6 City, and are necessary or advisable to complete the transactions contemplated and
7 effectuate the purpose and intent of this resolution, such determination to be conclusively
8 evidenced by the execution and delivery by the Director of Public Works of any such
9 documents; and, be it

10 FURTHER RESOLVED, That within 30 days of executing the Cooperative Agreement,
11 the Director of Public Works shall forward an executed copy of the Agreement to the Clerk of
12 the Board for its records.