

**PUBLIC TRANSPORTATION COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 98 - 084

WHEREAS, On April 12, 1994, the Public Utilities Commission adopted Resolution No. 94-0094, approving the Mission Bay Transportation Projects Agreement ("TPA"), as amended, between the City and Catellus Development Corporation ("Catellus"); and

WHEREAS, Pursuant to Board of Supervisors Resolution No. 431-94, the City entered into the TPA with Catellus as of May 24, 1994; and

WHEREAS, The TPA described various transportation projects in Mission Bay, and the rights and obligations of the parties with respect to those projects; and

WHEREAS, Under the TPA, Catellus has conveyed, at no cost to the City, approximately 3.92 acres of land for transportation purposes; and

WHEREAS, Pursuant to Public Transportation Commission Resolution No. 97-054, adopted on March 13, 1997, the PTC found that it was no longer interested in and would not pursue use of the Catellus-Primary Site and the Catellus Secondary Area as described and defined in such resolution, also referred to as the "Metro East sites," and released the City's interest therein under the TPA; and

WHEREAS, Section 9.7.2 of the TPA provides for the quitclaim of any donated property not necessary for the completion of the projects contemplated by the TPA; and

WHEREAS, The Director of the Department of Public Works has determined that Parcel 15, as described in Exhibit A to the TPA, is no longer necessary for completion of the King Boulevard Project, as defined in Section 2.1 of the TPA; and

WHEREAS, The projects contemplated by the TPA have either been accomplished or will be superseded in their entirety in connection with the adoption of the Redevelopment Plans for the Mission Bay North and South Redevelopment Projects and the documents that will be required to implement the Plans, including the Interagency Cooperation Agreements, and the attached Infrastructure Plans for the areas; and

WHEREAS, Staff of the Public Transportation Department has reviewed the Infrastructure Plans (with respect to the transportation improvements described in said Plans) and has determined that the Plans adequately address the projects remaining in the TPA, as well as providing for the current and future needs of the Municipal Railway in Mission Bay; and

WHEREAS, The adoption of the Interagency Cooperation Agreements, including the Infrastructure Plans, will make it unnecessary for the TPA to survive; and

WHEREAS, On SEP 17 1998, 1998, the Planning Commission, by Motion No. 1 4 6 9 6, and the Redevelopment Agency Commission, by Resolution No. 1 8 2 - 9 8, certified the Final Subsequent Environmental Impact Report for the Mission Bay Project ("Final SEIR") as accurate, adequate and objective and in compliance with the California Environmental Quality Act ("CEQA"), which certification was affirmed by the Board of Supervisors by Motion No. _____; and

WHEREAS, The Public Transportation Commission has reviewed and considered the information contained in the Final SEIR. For purposes of compliance with CEQA, the termination of the Transportation Projects Agreement is part of the implementation of the Mission Bay project examined in the Final SEIR for which the Public Transportation Commission, by Resolution No. 9 8 - 0 8 1, has adopted findings with respect to the Final SEIR as required by CEQA; and

WHEREAS, The termination of the TPA will be subject to the execution and delivery of Owner Participation Agreements between Catellus and the Redevelopment Agency of the City and County of San Francisco, and of the Interagency Cooperation Agreements, between the City and the Redevelopment Agency, with respect to both the Mission Bay North Redevelopment Project and the Mission Bay South Redevelopment Project, and shall further be subject to all such agreements becoming effective; now therefore, be it

RESOLVED, That the Public Transportation Commission approves terminating the TPA upon the effective date of the Owner Participation Agreements and the Interagency Cooperation Agreements, including the attached Infrastructure Plans, recommends that the Board of Supervisors take similar action in this regard, and authorizes the Director of Public Transportation to take any and all actions, including executing on behalf of the City, any agreement or other instrument that is necessary or proper to effect or evidence the termination of the TPA in accordance with this resolution and any subsequent resolution passed by the Board of Supervisors; and be it further

RESOLVED, That subject to the concurring recommendation of the Director of Public Works, the Commission approves the quitclaim of Parcel 15 as described in the TPA back to Catellus, as authorized in Section 9.7.2 of the TPA.

I hereby certify that the foregoing resolution was adopted by the Public Transportation Commission at its meeting of SEP 22 1998


Secretary, Public Transportation Commission