

THIS PRINT COVERS CALENDAR ITEM NO.: 10.2

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Finance and Information Technology

BRIEF DESCRIPTION:

Authorizing the Director of Transportation to execute a funding agreement with FOCIL-MB, LLC, for the design and construction of traffic signals at three locations on Terry Francois Boulevard in Mission Bay in an amount not to exceed \$646,570, and for a term through August 31, 2020.

SUMMARY:

- FOCIL-MB, LLC (FOCIL) is the master developer of Mission Bay in San Francisco, and is required under agreements with the City to construct infrastructure throughout Mission Bay, including traffic signal systems.
- GSW Arena, LLC, an affiliate of the Golden State Warriors (GSW Arena), is constructing a multi-purpose event center and a variety of mixed uses, including office, retail, open space and structured parking on an approximately 11-acre site within the Mission Bay South Redevelopment Plan Area.
- GSW Arena has provided the SFMTA with funds to construct traffic signal systems at three locations on Terry Francois Boulevard in Mission Bay.
- In conjunction with its construction of the Mission Bay infrastructure, FOCIL has agreed to design and build the three traffic signals, provided that the SFMTA reimburses FOCIL for its applicable design and construction costs.

ENCLOSURES:

1. Resolution
2. SFMTA Warriors/Chase Event Center Resolution No.15-154
https://www.sfmta.com/sites/default/files/agendaitems/2015/11-3-15%20Item%2013%20Golden%20State%20Warriors%20Event%20Center%20resolution_0.pdf
3. Warriors/Chase Event Center FSEIR <https://sfocii.org/warriors>
4. CCII Warriors/Chase Event Center Resolution No.69-2015
<https://sfocii.org/sites/default/files/Documents/Commission/Adopted%20Resolutions/2015/Resolutions/2015069.pdf>

APPROVALS:

DIRECTOR 
SECRETARY 

DATE

April 9, 2019
April 9, 2019

ASSIGNED SFMTAB CALENDAR DATE: April 16, 2019

PURPOSE

Authorizing the Director of Transportation to execute a funding agreement with FOCIL-MB, LLC, for the design and construction of traffic signals at three locations on Terry Francois Boulevard in Mission Bay in an amount not to exceed \$646,570, and for a term through August 31, 2020.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

This request supports the following SFMTA Strategic Plan Goals:

Goal 1: Create a safer transportation experience for everyone

Objective No. 1.1: Achieve Vision Zero by eliminating all traffic deaths.

Goal 2: Make transit and other sustainable modes of transportation the most attractive and preferred means of travel.

Objective No. 2.3: Manage congestion and parking demand to support the Transit First Policy.

Goal 3: Improve the quality of life and environment in San Francisco and the region.

Objective No. 3.2: Advance policies and decisions in support of sustainable transportation and land use principles.

DESCRIPTION

GSW Arena LLC (GSW Arena), an affiliate of the Golden State Warriors, which owns and operates the Golden State Warriors National Basketball Association (NBA), is constructing a multipurpose event center and a variety of mixed uses, including office, retail, open space and structured parking on an approximately 11-acre site on Blocks 29-32 within the Mission Bay South Redevelopment Plan Area of San Francisco. The site is bounded by South Street on the north, Third Street on the west, 16th Street on the south, and by the future planned realigned Terry A. Francois Boulevard on the east.

On November 3, 2015, the SFMTA Board of Directors received an overview of the Event Center and Mixed Use Development at Mission Bay Blocks 29-32 Project and its associated transportation-related services, capital improvements and mitigation and improvement measures, as identified in the Final Subsequent Environmental Impact Report (FSEIR), as well as the financial plan to fund these services and improvements; the FSEIR included traffic signalization at the following intersections (see Vol. 1, p. 5.2-50):

- The intersection of Terry A. Francois Boulevard and South Street;
- The new intersection of Terry A. Francois Boulevard and 16th Street, and
- The intersection of Illinois Street / Mariposa Street / Terry A. Francois Boulevard.

Among other things, GSW Arena has provided funding to the SFMTA to design and construct the three traffic signals.

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FOCIL is the master developer of Mission Bay in San Francisco, as provided in the June 2001 Acquisition Agreement between the Redevelopment Agency of the City and County of San Francisco (now known as the Office of Community Investment and Infrastructure) (Acquisition Agreement) and Catellus Development Corporation (“Catellus,” predecessor to FOCIL), and the November 1998 Mission Bay South Owner Participation Agreement between the Redevelopment Agency and Catellus (South OPA). FOCIL is responsible for the development of infrastructure in Mission Bay, including traffic signal infrastructure.

In conjunction with its construction of the Mission Bay infrastructure, FOCIL has agreed to design and build the three traffic signals along Terry A. Francois Boulevard, provided that the SFMTA reimburse FOCIL for its applicable design and construction costs. The proposed funding agreement will set the terms and conditions by which FOCIL will be reimbursed for costs related to the design and construction of the proposed traffic signals.

PUBLIC OUTREACH

In relation to the overall Event Center and Mixed Use Development at Mission Bay Blocks 29-32 Project, the project team conducted outreach, including: 12 meetings with Mission Bay Community Advisory Committee and workshops with the Planning Commission and OCII. Key stakeholder outreach was also conducted with UCSF, the Giants, and the Life Science community. Staff also met with neighborhood and transportation groups, including the SF Bicycle Coalition and WalkSF.

ALTERNATIVES CONSIDERED

The SFMTA considered various methods to deliver these traffic signals; however, the staff recommendation was deemed the most appropriate to deliver the signals on time. In accordance with the various Mission Bay agreements, FOCIL is in charge of construction of all Mission Bay Infrastructure, and will competitively bid the construction of the signals consistent with Section 3.3(b) of the Acquisition Agreement, which provides, in part, as follows:

(b) Notwithstanding the foregoing, the Developer shall award all contracts for construction of the Acquisition Facilities, and materials related thereto by means of a bid process consistent with this Section 3.3(b) or otherwise acceptable to the Director of Public Works, in each case consistent with the requirements of the South OPA and applicable City Regulations (including but not limited to the Program in Diversity /Economic Development Program, and prevailing wage requirements contained therein). The Developer shall establish a list of written criteria acceptable to the Director of Public Works (including experience, ability to perform on schedule and financial ability) to determine qualified general contractors for any contract. Such general contractors shall comply with any applicable provisions of the South OPA (including but not limited to the Program in Diversity /Economic Development Program and prevailing wage requirements, provided that nothing in this Agreement shall modify the remedy provisions of the Program in Diversity / Economic Development Program). Formal bids shall be requested from those entities on the list of qualified contractors.

This process assures consistency with development of all infrastructure within Mission Bay. To that end, the Mission Bay Infrastructure Plan (Attachment D to the South OPA) is being amended to include construction of the traffic signals.

FUNDING IMPACT

The total cost of the design and construction of the three traffic signals is \$ 646,570. There is no financial impact with this item, as the funds for these improvements, which have already been paid by the Warriors, have been set aside and budgeted.

ENVIRONMENTAL REVIEW

The proposed traffic signals at Terry Francois Boulevard and South Street, Terry Francois Boulevard and 16th Street, Terry Francois/Illinois Street and Mariposa Street are within the scope of the Final Subsequent Environmental Impact Report for the Golden State Warriors Event Center and Mixed Use Project at Mission Bay Blocks 29-32 (FSEIR). The FSEIR was certified by the San Francisco Commission on Community Investment and Infrastructure (CCII) in CCII Resolution 69-2015 on November 3, 2015 (Case No. ER 2014-919-97), in addition to the approval of Major Phase and Basic Concept/Schematic Design applications (Resolution 72-2015), Mission Bay South Design for Development amendments (Resolution 72-2015), and adoption of findings, a statement of overriding considerations and a mitigation monitoring report program pursuant to CEQA (Resolution 70-2015).

On November 3, 2015, the SFMTA Board of Directors in Resolution 15-154 adopted various elements of the Transportation Service Plan, applicable capital improvements, and the Project FSEIR (Resolution 15-154), including findings, a statement of overriding considerations and a mitigation monitoring and reporting program pursuant to CEQA.

On December 8, 2015, in response to an appeal of the FSEIR from the Mission Bay Alliance, the Board of Supervisors in File No. 150991 approved Motion M15-178, affirming the CCII's certification of the FSEIR (2014.1441E).

The Warriors/Chase Event Center FSEIR is on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco and provided as a link to this calendar item.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney has reviewed this item.

RECOMMENDATION

Staff recommends that the SFMTA Board authorize the Director of Transportation to execute a funding agreement with FOCIL for the design and construction of traffic signals at three locations on Terry Francois Boulevard in Mission Bay in an amount not to exceed \$646,570, and for a term through August 31, 2020.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, GSW Arena LLC (GSW Arena), an affiliate of the Golden State Warriors, which owns and operates the Golden State Warriors National Basketball Association (NBA), is constructing a multipurpose event center and a variety of mixed uses, including office, retail, open space and structured parking on an approximately 11-acre site on Blocks 29-32 within the Mission Bay South Redevelopment Plan Area of San Francisco (Event Center Project); the site is bounded by South Street on the north, Third Street on the west, 16th Street on the south, and by the future planned realigned Terry A. Francois Boulevard on the east; and,

WHEREAS, On November 3, 2015, the SFTMA Board of Directors received an overview of the Event Center and Mixed Use Development at Mission Bay Blocks 29-32 Project and its associated transportation-related services, capital improvements and mitigation and improvement measures, as identified in the Final Subsequent Environmental Impact Report (FSEIR), as well as the financial plan to fund these services and improvements; the FSEIR included traffic signalization at the following intersections:

- The intersection of Terry A. Francois Boulevard and South Street;
- The new intersection of Terry A. Francois Boulevard and 16th Street, and
- The intersection of Illinois Street; and,

WHEREAS, FOCIL-MB, LLC (FOCIL) is the master developer of Mission Bay in San Francisco, and has been constructing infrastructure throughout Mission Bay, including traffic signal systems, as provided in the Acquisition Agreement, dated as of June 1, 2001, between the Redevelopment Agency of the City and County of San Francisco (“Redevelopment Agency,” now known as the Office of Community Investment and Infrastructure) (Acquisition Agreement), and Catellus Development Corporation (“Catellus,” predecessor to FOCIL), the Mission Bay South Owner Participation Agreement, dated November 16, 1998, between the Redevelopment Agency and Catellus (South OPA), including Attachment D to the South OPA, the Mission Bay South Infrastructure Plan, as amended; and,

WHEREAS, In conjunction with its construction of the Mission Bay infrastructure, FOCIL has agreed to design and construct the three traffic signals along Terry A. Francois Boulevard in accordance with the requirements of the Acquisition Agreement and the South OPA, provided that the SFMTA reimburse FOCIL for its applicable design and construction costs; and,

WHEREAS, The proposed traffic signals at Terry Francois Boulevard and South Street, Terry Francois Boulevard and 16th Street, Terry Francois/Illinois Street and Mariposa Street are within the scope of the FSEIR for the Golden State Warriors Event Center and Mixed Use Project at Mission Bay Blocks 29-32; and,

WHEREAS, On November 3, 2015, the San Francisco Commission on Community Investment and Infrastructure (CCII), the successor agency to the former Redevelopment Agency, reviewed and considered the FSEIR for the Event Center Project at Mission Bay Blocks

29-32, and, by CCII Resolution No. 12 69-2015, certified the FSEIR in compliance with CEQA; the CCII also approved the Event Center Project by the adoption of Resolutions No. 70-2015 (adopting CEQA Findings), No.71- 2015 (approving amendments to the Mission Bay South Design for Development), and No.72- 2015 (conditionally approving the Major Phase and Basic Concept/Schematic Design applications for the Event Center Project); and,

WHEREAS, On November 3, 2015, the SFMTA Board of Directors, in Resolution No. 15-154, adopted the Event Center Project CEQA findings (Case Number 2014.1441E), including a statement of overriding considerations and a mitigation monitoring and reporting program pursuant to CEQA, a copy of which is on file with the Secretary to the SFMTA Board of Directors and is incorporated into this Resolution by reference; and,

WHEREAS, On November 3, 2015, the SFMTA Board approved the elements of the Event Center Project that are under SFMTA jurisdiction, including the installation of the three traffic signals on Terry Francois Boulevard in Mission Bay; and,

WHEREAS, On December 8, 2015, in response to an appeal of the FSEIR by the Mission Bay Alliance, the Board of Supervisors approved Motion M15-178, affirming the CCII's certification of the FSEIR (Board of Supervisors File No. 150991); and,

WHEREAS, The Warriors/Chase Event Center FSEIR is on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco and provided as a link to this calendar item; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors adopts the FSEIR CEQA Findings as its own, and to the extent the above actions are associated with any mitigation measures, the SFMTA Board of Directors adopts those measures as conditions of this approval; a copy of the Resolutions, the CEQA findings, and the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco or the Office of Community Investment and Infrastructure at 1 South Van Ness, 5th Floor, in San Francisco, and are incorporated herein by reference; and be it further

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute a funding agreement with FOCIL-MB, LLC, for the design and construction of traffic signals at three locations on Terry Francois Boulevard in Mission Bay in an amount not to exceed \$646,570, and for a term through August 31, 2020.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 16, 2019.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency