

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 200616-055

WHEREAS, California Government Code section 65864 *et seq.* (the Development Agreement Statute) and San Francisco Administrative Code Chapter 56 authorize the City to enter into a development agreement regarding the development of real property; and,

WHEREAS, Under San Francisco Administrative Code Chapter 56, Reservoir Community Partners, LLC. (Developer) filed an application with the City's Planning Department for approval of a development agreement (Development Agreement) relating to the Balboa Reservoir Project, an approximately 16-acre mixed-use project; and,

WHEREAS, The City and Developer negotiated the Development Agreement, which would authorize Developer to proceed with the Balboa Reservoir Project in exchange for its delivery of various public benefits; and,

WHEREAS, The Balboa Reservoir Project would create up to 1,100 new housing units, 50% of which would be permanently below market rate, childcare and community facilities, up to 7,500 gross square feet of neighborhood serving commercial uses, and would create or improve 4 acres of public open space; and,

WHEREAS, The Project will implement street improvements that enhance pedestrian safety and bicycling connectivity; and,

WHEREAS, Under the terms of the Development Agreement, the Developer shall pay the Transportation Sustainability Fee; and,

WHEREAS, Exhibit J to the Development Agreement includes a Transportation Exhibit, which addresses the Transportation Demand Management Plan, Public Parking, Transportation Sustainability Fee, and SFMTA staffing for implementation; and,

WHEREAS, On May 28, 2020, the San Francisco Planning Commission, in Motion No. M-20730, certified the Balboa Reservoir Project (Case No 2018-007883ENV) Final Subsequent Environmental Impact Report (FSEIR); on that same date, in Motion No. M-200731 the San Francisco Planning Commission adopted California Environmental Quality Act (CEQA) Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) (collectively, the Balboa Reservoir Project CEQA Findings); and,

WHEREAS, Since that time, there have been no changes to the Balboa Reservoir Project, changes to the circumstances under which the project will be undertaken, or substantial new information that would trigger the need for a subsequent environmental impact report; and,

WHEREAS, A copy of the FSEIR, Planning Commission motions and the CEQA findings, including the MMRP and statement of overriding considerations, 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 and at <http://ab900balboa.com>, and are incorporated herein by reference; now therefore be it

RESOLVED, That the SFMTA Board of Directors has reviewed the Final Supplemental Environmental Impact Report (FSEIR) for the Project and finds that the FSEIR is adequate for its uses the decision-making body for the actions taken herein; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors does hereby adopt the Balboa Reservoir Project CEQA Findings as its own and to the extent the above actions are associated with any mitigation measures (including M-C-TR-4: Implement Measures to Reduce Transit Delay), makes such measures conditions of this approval; and, be it

FURTHER RESOLVED, That the SFMTA Board of Directors does hereby consent to the Balboa Reservoir Project Development Agreement, including its exhibits containing the Transportation Exhibit, substantially in the form and terms as outlined in the Development Agreement with respect to the items under the SFMTA's jurisdiction; and, be it


FURTHER RESOLVED, That the SFMTA Director of Transportation is authorized to execute the SFMTA Consent to the Development Agreement; pending approval by the Board of Supervisors; and, be it

FURTHER RESOLVED, That, by consenting to the SFMTA matters in the Development Agreement between the City and the Developer, the SFMTA Board of Directors does not intend to in any way limit, waive or delegate the exclusive authority of the SFMTA; and, be it

FURTHER RESOLVED, That, subject to appropriation of any necessary funds, the Board of Directors authorizes the Director of Transportation to take any and all steps (including, but not limited to, the execution and delivery of any and all agreements, notices, consents and other instruments or documents) necessary, in consultation with the City Attorney, to consummate and perform SFMTA obligations under the Development Agreement, or otherwise to effectuate the purpose and intent of this Resolution; and, be it

FURTHER RESOLVED, That the approval under this Resolution shall take effect upon the effective date of the Board of Supervisors legislation approving the Balboa Reservoir Project Development Agreement.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 16, 2020.

  
\_\_\_\_\_  
Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency