

1 [BART/SFIA On-Airport Project Development Agreement Modification]

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3 Resolution approving Modification No. 1 to the BART/SFIA On-Airport Project
4 Development Agreement, as it relates to the on-Airport ~~portion~~ portion of the BART to
5 San Francisco Airport Extension project, which is by and between the City and County
6 of San Francisco, acting by and through its Airport Commission (“SFIA”), and the Bay
7 Area Rapid Transit District (“BART”).

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9 WHEREAS, The BART/SFIA On-Airport Project Development Agreement
10 (“Development Agreement”) provides the terms and conditions for construction of the on-
11 Airport portion of the BART to San Francisco Airport Extension project; and

12 WHEREAS, The Development Agreement provides that SFIA’s obligation to fund
13 Eligible Costs of the BART Fixed Facilities shall not exceed \$113 million, and to fund Eligible
14 Costs of the BART Operating Systems/12kV Line shall not exceed \$87 million; and

15 WHEREAS, On March 20, 1998, by Resolution No. 183-98, the Board of Supervisors
16 approved the Development Agreement; and

17 WHEREAS, SFIA and BART desire to modify the Development Agreement to
18 authorize the Airport Director to reallocate funding between the on-Airport BART Fixed
19 Facilities and the on-Airport BART Operating Systems; and

20 WHEREAS, This Modification No. 1 authorizes the Airport Director to reallocate
21 projected savings from the BART Operating Systems/12kV Line work to certain projected
22 overruns in the Eligible Costs of the BART Fixed Facilities; provided that in no event will
23 SFIA’s financial obligation for the On-Airport BART Project exceed \$200 million; and further
24 provided that the airlines’ repayment obligation for BART does not exceed the debt service on
25 \$113 million; and

1 WHEREAS, The Airport Commission approved this Modification by resolution on
2 July 3, 2001; now, therefore, be it

3 RESOLVED, Pursuant to San Francisco Charter Section No. 9.118, that the Board of
4 Supervisors hereby approves Modification No. 1 to the Development Agreement, a copy of
5 which is on file with the Clerk of the Board of Supervisors, in File No. 011426,
6 which is hereby declared to be a part of this resolution as if set forth fully herein.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 011426

Date Passed:

Resolution approving Modification No. 1 to the BART/SFIA On-Airport Project Development Agreement, as it relates to the on-Airport portion of the BART to San Francisco Airport Extension project, which is by and between the City and County of San Francisco, acting by and through its Airport Commission ("SFIA"), and the Bay Area Rapid Transit District ("BART").

August 27, 2001 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin,
Sandoval, Yee

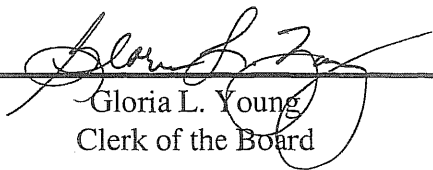
Absent: 1 - Newsom

File No. 011426

I hereby certify that the foregoing Resolution was ADOPTED on August 27, 2001 by the Board of Supervisors of the City and County of San Francisco.

SEP 07 2001

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.