

1 [Freeway Maintenance Agreement for Central Freeway Replacement Project]

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3 **Resolution authorizing the City and County of San Francisco's Director of Public Works**  
4 **to execute a Freeway Maintenance Agreement with the State of California, acting by**  
5 **and through its Department of Transportation apportioning maintenance**  
6 **responsibilities for the Central Freeway Replacement Project.**

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8 WHEREAS, In November 1998, the voters of the City and County of San Francisco  
9 (the "City") approved Proposition E authorizing replacement of the former Central Freeway,  
10 which was damaged by the 1989 Loma Prieta Earthquake, with a ground-level boulevard  
11 along Octavia Street from Market to Fell Streets (the "Octavia Boulevard Project"); and,

12 WHEREAS, The California Legislature adopted Streets and Highways Code  
13 Section 72.1, finding and declaring, among other things, that (i) the Central Freeway  
14 Replacement Project was selected by the State of California and City as an alternative  
15 transportation system to the former Central Freeway, and (ii) the Central Freeway  
16 Replacement Project includes both (a) the "Freeway Project" itself, which the State of  
17 California, acting by and through its Department of Transportation (the "State"), will construct  
18 under one contract, consisting of demolition of the existing former Central Freeway,  
19 construction of a new freeway between Mission Street and Market Street, and the  
20 construction of new ramps to and from that new freeway; and (b) the Octavia Boulevard  
21 Project, which City will construct; and,

22 WHEREAS, Pursuant to Section 72.1 and Board of Supervisors Resolution No. 469-00,  
23 the State transferred to City certain real property consisting of the area formerly occupied by  
24 the Central Freeway between Market Street and Turk Street for use in connection with the  
25 Octavia Boulevard Project; and,

1 WHEREAS, On November 29, 2000, City and State executed the State Cooperative  
2 Agreement No. 4-1828-C (the "Cooperative Agreement"), wherein both parties set forth the  
3 respective obligations of the parties with respect to the development, construction, and  
4 maintenance of the Central Freeway Replacement Project; and,

5 WHEREAS, State and City staff have negotiated a Freeway Maintenance Agreement  
6 (the "FMA"), a copy of which is on file with the Clerk of the Board of Supervisors in File  
7 No. 051219, establishing maintenance responsibility for the above-mentioned Central  
8 Freeway Replacement Project, and which clarifies the division of maintenance responsibility,  
9 upon completion of construction, as to the structures and the City streets or portions thereof,  
10 and landscaped areas within and outside the freeway limits; and,

11 WHEREAS, The FMA, except as specifically provided for herein, does not effect the  
12 terms of prior written agreements, which includes, but is not limited to, the Agreement for  
13 Maintenance of State Highways in the City of San Francisco of July 25, 1990, between the  
14 parties hereto; now, therefore, be it

15 RESOLVED, That the Board of Supervisors authorize the Director of Public Works to  
16 execute the FMA with the State, which sets forth the distribution of the maintenance  
17 responsibilities between the parties as to the structures, the City streets, and landscaped  
18 areas within and outside the freeway limits for the Central Freeway Replacement Project.  
19

20 RECOMMENDED:

APPROVED:

21  
22 

23 Robert P. Beck  
24 Deputy Director for Engineering

25 

Edwin M. Lee  
Director of Public Works



# City and County of San Francisco

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

## Tails Resolution

**File Number:** 051219

**Date Passed:**

Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project.

August 9, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

Excused: 1 - Ammiano

File No. 051219

I hereby certify that the foregoing Resolution was ADOPTED on August 9, 2005 by the Board of Supervisors of the City and County of San Francisco.

AUG 12 2005

\_\_\_\_\_  
Date Approved

*Kay Gulbenkian*  
for  
Gloria L. Young  
Clerk of the Board

*[Signature]*  
\_\_\_\_\_  
Mayor Gavin Newsom