

RESOLUTION NO. 37-2011

Adopted March 29, 2011

AUTHORIZING A LETTER AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED \$61,500 FOR CONTRACT ADMINISTRATION, CONSTRUCTION BID MANAGEMENT, AND PROJECT CLOSEOUT FOR THE ARELIOS WALKER DRIVE STAIRWAY IMPROVEMENT PROJECT AND MAKING FINDINGS REQUIRED BY HEALTH AND SAFETY CODE SECTION 33445; BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco ("Agency") is authorized, pursuant to California Community Redevelopment Law ("CRL") (Health and Safety Code, Section 33000 *et seq.*), to provide assistance and advance funds for the making of improvements necessary for the redevelopment of blighted areas and the implementation of a project area redevelopment plan.
2. On June 1, 2006, the Agency adopted the Redevelopment Plan ("Plan") for the Bayview Hunters Point Redevelopment Project Area ("BVHP Project Area"). Some of the key goals of the Plan are improvements to safety, substandard infrastructure, and improved pedestrian access to transportation and commercial opportunities for BVHP Project Area residents.
3. The Arelios Walker Drive Stairway Improvement Project ("Stairway" or "Project") is located in the BVHP Project Area. The Stairway provides a vital connection from an isolated low-income community to bus route 19, the India Basin Shoreline, the Bay Trail, Herons Head Park, and future development at Hunters Point Shipyard.
4. The residents, businesses, stakeholders, the BVHP Project Area Advisory Committee, the Agency, Planning Department, and other City departments have been working closely together on projects and plans to improve vehicular and non-vehicular transportation in the BVHP Project Area and to connect the BVHP Project Area to citywide destinations.
5. In 2002, the Agency and the BVHP Project Area Committee ("PAC") completed a Community Revitalization Plan that identified the stairways for targeted improvements. In 2009, the Draft India Basin Sub-Area Plan also identified the Stairway for targeted improvements. The Stairway grant application was endorsed by the PAC Land Use Subcommittee on November 2, 2009.

6. In 2009, the Agency applied for a Transportation Enhancement (“TE”) grant for the Stairway improvements, in the amount of \$1,109,000 through the San Francisco County Transportation Authority. The source of the grant is TE Program from the Regional Transportation Improvement Program, and is managed by Caltrans.
7. Federal transportation funds cannot be allocated directly to the Agency without a Caltrans Master Agreement per state and federal guidelines. As the administering City department for public right of way improvement projects and authorized recipient of Caltrans funds, the Department of Public Works (“DPW”) of the City and County of San Francisco (“City”) is the appropriate department to accept and expend the grant funds for the Stairway. In 2011, TE grant in the amount of \$1,109,000 was awarded to the Stairway.
8. DPW-BOE estimates an additional \$61,500 for non-construction cost is needed to cover contract administration, construction management, and project closeout.
9. Since the Agency will be using \$61,500 in Agency tax increment funds to pay for the renovation of the Stairway in the BVHP Project Area, a City-owned public right-of-way, Health and Safety Code Section 33445 requires the Agency to seek approval of the San Francisco Board of Supervisors (“Board”) before providing the funding. As such, the Agency will request the Board’s approval of the proposed Agency funding based on the following findings: (1) the improvements are of benefit to the BVHP Project Area by helping to eliminate blighting influences within the BVHP Project Area; (2) no other reasonable means of financing the improvements are available; and (3) the Agency funding is consistent with the implementation plan adopted for the BVHP Project Area pursuant to CRL Section 33490.
10. The deteriorated Stairway is a public safety hazard and requires a significant amount of improvements to bring it into compliance with the City’s Building Code. Handrails are missing in some places, and landings present tripping hazards. Stairway foundations have been washed away in certain locations and have potentially undermined the structural stability of the Stairway. In other locations, dense vegetation has encroached into the Stairway path.
11. The proposed Project seeks to improve the Stairway and adjacent area, by rebuilding existing concrete stairs with railings; reconstructing the reinforced concrete; installing new handrails and guardrails with ADA compliance; installing new anti-slip strip at all stairs; installing vandal resistance lightings; installing mosaic tile panels to all stair steps; and plantings along both sides of the stairs to transform the Stairway into an attractive pedestrian linkage.
12. The Stairway improvements will alleviate blighting conditions by improving substandard infrastructure, eliminating public safety hazards, and creating a vital access to public transit, open space, and future neighborhood services and commercial opportunities. In the event of an emergency, these pathways could serve as a critical evacuation route for large numbers of pedestrians who reside in the hillside area.

13. The pedestrian stairway has fallen into disrepair due to the lack of designated capital funds to improve pedestrian stairway amenities. Pedestrian paths and stairways have generally received less attention and funding for upkeep and maintenance than streets and sidewalks.
14. DPW searched for funds from the City and other sources, and except for the TE grant was unable to acquire additional funds because of the recent economic recession. The City itself faces substantial fiscal challenges in light of substantially reduced tax revenues and challenging economic conditions created by the recession. According to the Three-Year Budget Projection for General Fund Supported Obligations FY 2010-11 through 2012-13, projected shortfalls in General Fund revenues compared to expenditures over the next three years are \$483 million in FY 2010-11, \$712 million in FY 2011-12, and \$787 million in FY 2012-13. These projected deficits illustrate why alternative sources of funding are not available for the needed seismic and disabled-access improvements to the Stairway. The City has no funds currently budgeted for the Stairway, and no other source has been identified to provide funds for the Stairway.
15. The Stairway is consistent with the Project Area's Five year Implementation Plan goals and objectives of: (1) improving deteriorated public facilities; (2) creating non-vehicular access; and (3) installing needed site improvements to stimulate employment and new commercial growth. The Implementation Plan covers the period from July 1, 2006 to June 30, 2011 and was adopted under the March 7, 2006 Agency Commission Resolution No. 32-2006 and under the June 1, 2006 San Francisco County Board of Supervisors' Ordinance No. 113-06.
16. Agency approval of the Letter Agreement for the Arelious Walker Drive Stairway Improvement Project would have no resultant significant environmental impacts and is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301(d), Restoration or Rehabilitation of Deteriorated or Damaged Structures. Making findings required by Health and Safety Code Section 33445 for the Letter Agreement is an Agency administrative activity that will not cause any physical change in the environment and is not a "Project" as defined in CEQA Guidelines Section 15378(b)(5).

RESOLUTION

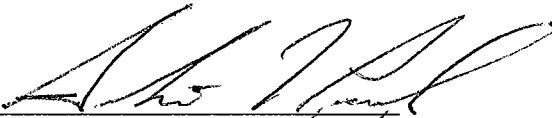
ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

(a) the Agency Commission adopts the following findings: (a) that the construction of the Arelious Walker Drive Stairway Improvements are of benefit to the Bayview Hunters Point Redevelopment Project Area by helping to eliminate blight within the Project Area; (b) that there are no other reasonable means of financing the Stairway improvements that are publicly owned and available to the community; and (3) that the payment of Agency funds to construct the publicly owned Stairway improvements is consistent with the Implementation Plan adopted pursuant to California Health and Safety Code Section 33490 each for the reasons stated above.

(b) the Executive Director is authorized to enter into and execute a Letter Agreement with City and County of San Francisco, acting by and through its Department of Public Works, in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for the Arelious Walker Drive Stairway Improvement Project, subject to the Board of Supervisors' approval pursuant to California Health and Safety Code Section 33445.

(c) the Executive Director is authorized to prepare, on behalf of the Agency, a resolution for consideration by the Board of Supervisors (together with other relevant documents), which resolution shall comply with the requirements of California Health and Safety Code Section 33445 to allow for Agency funding of the Arelious Walker Drive Stairway Improvement Project and shall include findings identical or substantially similar to those described in this Resolution and the Commission Memo dated March 29, 2011.

APPROVED AS TO FORM:


for James B. Morales 3/24/11
Agency General Counsel