

1 [Apply for, Accept, and Expend Grant - Active Transportation Program - \$1,298,000]

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3 **Resolution authorizing the filing of an application for funding assigned to the California**  
4 **Transportation Commission (CTC); filing of an application for funding assigned to the**  
5 **Metropolitan Transportation Commission (MTC); committing any necessary matching**  
6 **funds; stating assurance to complete the projects; and authorizing the Department of**  
7 **Public Works to accept and expend \$1,298,000 in Active Transportation Program grant**  
8 **funds awarded through CTC and/or MTC.**

9  
10 WHEREAS, The Active Transportation Program (herein referred to as PROGRAM) was  
11 created in September 2013 through Senate Bill 99 and Assembly Bill 101 to consolidate  
12 existing federal and state transportation programs, including the Transportation Alternatives  
13 Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School  
14 (SR2S); and

15 WHEREAS; The PROGRAM's funding is being awarded through two different  
16 competitive mechanisms: \$179,550,000 in state and federal funds will be awarded through the  
17 Statewide Competitive PROGRAM led by the California Transportation Commission (CTC)  
18 and \$30,223,000 (herein referred to as REGIONAL DISCRETIONARY FUNDING) will be  
19 awarded through the Regional Competitive PROGRAM led by the Metropolitan Transportation  
20 Commission (MTC); and

21 WHEREAS; The PROGRAM includes federal funding administered by the Federal  
22 Highway Administration (FHWA) and federal or state funding administered by the California  
23 Transportation Commission (CTC) such as Surface Transportation Program (STP) funding,  
24 Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation  
25

1 Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation  
2 Improvement Program (RTIP) funding; and

3 WHEREAS, The Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-  
4 141, July 6, 2012) and any extensions or successor legislation for continued funding  
5 (collectively, MAP-21) authorize various federal funding programs including, but not limited to  
6 the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and  
7 Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation  
8 Alternatives Program (TA) (23 U.S.C. § 213); and

9 WHEREAS, Applications for the Statewide Competitive PROGRAM were due in May  
10 2014 and Regional Competitive PROGRAM applications are due in July 2014, prior to the  
11 announcement of decisions in the Statewide PROGRAM; and

12 WHEREAS, MTC encouraged Statewide PROGRAM applicants to also submit  
13 applications for REGIONAL DISCRETIONARY FUNDING in the Regional PROGRAM, so that  
14 they could be considered for funding if applicants are not awarded a grant by CTC; and

15 WHEREAS, The Department of Public Works (herein referred to as DPW) submitted  
16 two applications on May 21, 2014 to CTC for the Redding Safe Routes to School Project  
17 (\$784,000) and the John Yehall Chin Safe Routes to School Project (\$514,000) (herein  
18 referred to as PROJECTS) that total \$1,298,000 to fund environmental studies and  
19 preliminary engineering under the Statewide Competitive PROGRAM; and

20 WHEREAS, DPW is also submitting two applications for the PROJECTS to MTC for  
21 \$1,298,000 in REGIONAL DISCRETIONARY FUNDING assigned to MTC for programming  
22 discretion for the Regional Competitive PROGRAM; and

23 WHEREAS, State statutes, including California Streets and Highways Code §182.6,  
24 §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding  
25

1 programs for the programming discretion of the Metropolitan Planning Organization (MPO)  
2 and the Regional Transportation Planning Agency (RTPA); and

3 WHEREAS, Pursuant to MAP-21 and any regulations promulgated thereunder, eligible  
4 project sponsors wishing to receive federal or state funds for a regionally-significant project  
5 shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review  
6 and inclusion in the federal Transportation Improvement Program (TIP); and

7 WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay  
8 region; and

9 WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC  
10 Resolution No. 3606, revised) that sets out procedures governing the application and use of  
11 REGIONAL DISCRETIONARY FUNDING; and

12 WHEREAS, DPW is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING;  
13 and

14 WHEREAS, As part of the application for REGIONAL DISCRETIONARY FUNDING,  
15 MTC requires a resolution adopted by the responsible implementing agency stating the  
16 following:

- 17 1. The commitment of any required matching funds;
- 18 2. That the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is  
19 fixed at the programmed amount, and therefore any cost increase cannot be  
20 expected to be funded with additional REGIONAL DISCRETIONARY FUNDING;
- 21 3. That the PROJECTS will comply with the procedures, delivery milestones and  
22 funding deadlines specified in the Regional Project Funding Delivery Policy (MTC  
23 Resolution No. 3606, revised);

- 1 4. The assurance of the sponsor to complete the PROJECTS as described in the  
2 application, subject to environmental clearance, and if approved, as included in  
3 MTC's federal Transportation Improvement Program (TIP);
- 4 5. That the PROJECTS will have adequate staffing resources to deliver and complete  
5 the PROJECTS within the schedule submitted with the project application; and
- 6 6. That the PROJECTS will comply with all project-specific requirements as set forth in  
7 the PROGRAM;
- 8 7. That DPW has assigned, and will maintain a single point of contact for all FHWA-  
9 and CTC-funded transportation projects to coordinate within the agency and with  
10 the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA,  
11 and CTC on all communications, inquires or issues that may arise during the federal  
12 programming and delivery process for all FHWA- and CTC-funded transportation  
13 and transit projects implemented by DPW;
- 14 8. In the case of an RTIP project, state law requires PROJECTS be included in a local  
15 congestion management plan, or be consistent with the capital improvement  
16 program adopted pursuant to MTC's funding agreement with the countywide  
17 transportation agency; and

18 WHEREAS, That DPW is authorized to submit an application for REGIONAL  
19 DISCRETIONARY FUNDING for the PROJECT; and

20 WHEREAS, There is no legal impediment to DPW making applications for the funds;  
21 and

22 WHEREAS, There is no pending or threatened litigation that might in any way  
23 adversely affect the proposed PROJECTS, or that might impair the ability of DPW to  
24 implement the PROJECTS; and  
25

1           WHEREAS, The Director of DPW or his or her designee is authorized to execute and  
2 file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECTS  
3 as referenced in this resolution; and

4           WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in  
5 conjunction with the filing of the application; and

6           WHEREAS, The grants do not require an ASO amendment; and

7           WHEREAS, The grant budgets include indirect costs in the amount of \$512,494.30;  
8 now, therefore, be it

9           RESOLVED, That DPW is authorized to execute and file an application for funding for  
10 the PROJECTS for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued  
11 funding; and, be it

12          FURTHER RESOLVED, That DPW by adopting this resolution does hereby state that:

- 13           1. DPW will commit any required matching funds;
- 14           2. DPW understands that the REGIONAL DISCRETIONARY FUNDING for the  
15 projects is fixed at the MTC-approved programmed amount, and that any cost  
16 increases must be funded by DPW from other funds, and that DPW does not  
17 expect any cost increases to be funded with additional REGIONAL  
18 DISCRETIONARY FUNDING;
- 19           3. DPW understands the funding deadlines associated with these funds and will  
20 comply with the provisions and requirements of the Regional Project Funding  
21 Delivery Policy (MTC Resolution No. 3606, revised) and DPW has, and will  
22 retain the expertise, knowledge and resources necessary to deliver federally-  
23 funded transportation projects, and has assigned, and will maintain a single  
24 point of contact for all FHWA- and CTC-funded transportation projects to  
25 coordinate within the agency and with the respective Congestion Management

1 Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications,  
2 inquires or issues that may arise during the federal programming and delivery  
3 process for all FHWA- and CTC-funded transportation projects implemented by  
4 DPW;

5 4. PROJECTS will be implemented as described in the complete applications and  
6 in this resolution, subject to environmental clearance, and, if approved, for the  
7 amount approved by MTC and programmed in the federal TIP;

8 5. DPW has reviewed the PROJECTS and has adequate staffing resources to  
9 deliver and complete the PROJECTS within the schedule submitted with the  
10 project application;

11 6. That the PROJECTS will comply with the requirements as set forth in MTC  
12 programming guidelines and project selection procedures for the PROGRAM;

13 7. In the case of an RTIP project, state law requires PROJECTS be included in a  
14 local congestion management plan, or be consistent with the capital  
15 improvement program adopted pursuant to MTC's funding agreement with the  
16 countywide transportation agency; and, be it

17 FURTHER RESOLVED, That DPW is an eligible sponsor of REGIONAL  
18 DISCRETIONARY FUNDING funded projects; and, be it

19 FURTHER RESOLVED, That DPW is authorized to submit an application for  
20 REGIONAL DISCRETIONARY FUNDING for the PROJECTS; and, be it

21 FURTHER RESOLVED, That there is no legal impediment to DPW making applications  
22 for the funds; and, be it

23 FURTHER RESOLVED, That there is no pending or threatened litigation that might in  
24 any way adversely affect the proposed PROJECTS, or the ability of DPW to deliver such  
25 PROJECTS; and, be it

1 FURTHER RESOLVED, That the Director of DPW or his or her designee is authorized  
2 to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for  
3 the PROJECTS as referenced in this resolution; and, be it

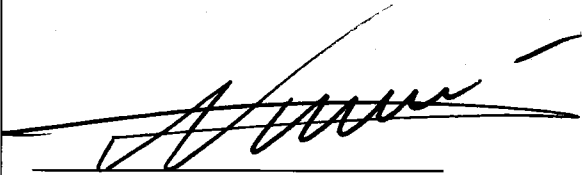
4 FURTHER RESOLVED, That a copy of this resolution will be transmitted to the MTC in  
5 conjunction with the filing of the application; and, be it

6 FURTHER RESOLVED, That MTC is requested to support the applications for the  
7 PROJECTS described in the resolution, and if approved, to include the PROJECTS in MTC's  
8 federal TIP upon submittal by the project sponsor for TIP programming; and, be it

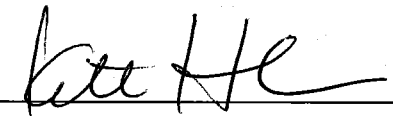
9 FURTHER RESOLVED, That DPW is authorized to accept and expend \$1,298,000  
10 awarded by the CTC and/or MTC through the Active Transportation Program (ATP); and, be it

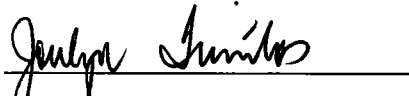
11 FURTHER RESOLVED, That the Director of DPW or his or her designee is authorized  
12 to execute all documents pertaining to the project with Caltrans.

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14  
15 Recommended:

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19 Mohammed Nuru  
20 Director of Public Works

Approved:   
for Mayor

Approved:   
for Controller



**City and County of San Francisco**  
**Tails**  
**Resolution**

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

**File Number:** 140779

**Date Passed:** July 22, 2014

Resolution authorizing the filing of an application for funding assigned to the California Transportation Commission (CTC); filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing the Department of Public Works to accept and expend \$1,298,000 in Active Transportation Program grant funds awarded through CTC and/or MTC.

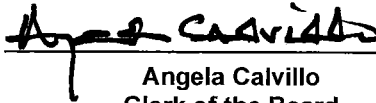
July 16, 2014 Budget and Finance Committee - RECOMMENDED

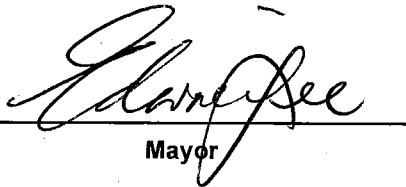
July 22, 2014 Board of Supervisors - ADOPTED

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee  
Excused: 1 - Avalos

File No. 140779

I hereby certify that the foregoing  
Resolution was ADOPTED on 7/22/2014 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

  
Date Approved