

1 [Accept and Expend Grant - 2023 State Earmark - Havelock Pedestrian Bridge Safety
Improvement Project - \$500,000]

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3 **Resolution authorizing the San Francisco Public Works to accept and expend an**
4 **earmark grant of \$500,000 from the 2023 California State Budget to fund the**
5 **construction of the Havelock Pedestrian Bridge Safety Improvement Project;**
6 **authorizing Public Works to execute all required documents for the project; and**
7 **affirming the Planning Department’s determination under the California Environmental**
8 **Quality Act.**

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10 WHEREAS, On March 13, 2007, the City and County of San Francisco Board of
11 Supervisors adopted Resolution No. 134-07, a copy of which is on file with the Clerk of the
12 Board of Supervisors in File No. 070261, and which is incorporated herein by reference as
13 though fully set forth; and

14 WHEREAS, Resolution No. 134-07 authorizes the Director of Public Works to execute
15 Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund
16 Transfer Agreements, and any amendments thereto with the California Department of
17 Transportation; and

18 WHEREAS, Section 19.569 of the Budget Act of 2023, which included appropriations
19 for the support of state government for Fiscal Year 2023-2024, as detailed in Assembly Bill
20 102 (AB 102), appropriated \$500,000 from the State General Fund (“2023 Earmark”) to the
21 California Department of Transportation (“Caltrans” or “Grantor”) to be allocated to for
22 improved pedestrian safety and accessibility along the Havelock Avenue corridor, which funds
23 San Francisco Public Works (the “Department”) proposes to use to implement the Havelock
24 Pedestrian Bridge - Sidewalk Improvement Project (“Project”); and

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1 WHEREAS, The 2023 Earmark must be encumbered by June 30, 2025, and expended
2 by June 30, 2027, as required by the Budget Act of 2023, or the funds will revert to the State’s
3 General Fund; and

4 WHEREAS, The Project budget includes \$77,358 for the reimbursement of the City’s
5 estimated indirect costs; and

6 WHEREAS, On August 19, 2024, the San Francisco Planning Department issued a
7 determination concluding that that the Project is within the scope of the Final Mitigated
8 Negative Declaration for the San Francisco Better Streets Plan (Case No. 2007.1238E) and
9 does not require subsequent environmental review, and that the Archeological Accidental
10 Discovery mitigation measure CUL-1 applies to the Project (“CEQA Determination”); said
11 CEQA Determination is on file with the Clerk of the Board of Supervisors in File No.
12 _____and is incorporated herein by reference; and

13 WHEREAS, On September 26, 2024, the Director of Public Works issued Order No.
14 211012 (the “Order”) recommending that the Board of Supervisors approve the acceptance of
15 the 2023 Earmark for the Project, make the certifications required by the State of California as
16 a condition of awarding the grant, and authorize the Department to enter into the Grant
17 Agreement on behalf of the City and to authorize the Department and the Clerk of the Board
18 to take further actions as may be deemed necessary by the Grantor before the City may
19 accept and expend the grant funds for the project as set forth in the legislative package; said
20 Order is on file with the Clerk of the Board of Supervisors in File No. _____ and is
21 incorporated herein by reference; now, therefore be it

22 RESOLVED, That the Board of Supervisors adopts the CEQA Determination as its
23 own; and be it

1 FURTHER RESOLVED, That the Board of Supervisors accepts the Department's
2 recommendations in the Order and authorizes the Department to accept and expend up to
3 \$500,000 in the 2023 Earmark for the Project; and be it

4 FURTHER RESOLVED, That the Director of Public Works or the Director's designee is
5 authorized to execute all required documents, including the Funds Transfer Agreement with
6 Caltrans, and to take further actions in accordance with state requirements; and be it

7 FURTHER RESOLVED, That within 30 days of the Funds Transfer Agreement being
8 executed by all parties, Public Works shall provide the final agreement to the Clerk of the
9 Board for inclusion in File No. _____.

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Approved: /s/
London N. Breed
Mayor

Recommended:
 /s/
Carla Short
Director of Public Works

Approved: /s/
Greg Wagner
Controller