

1 [Resolution of local support for Leland Avenue Streetscape Improvements Project.]

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3 **Resolution authorizing local support for the Leland Avenue Streetscape Improvements**
4 **Project, designating DPW as the eligible sponsor for funding related to this project, and**
5 **taking other official acts in furtherance of this project.**

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7 WHEREAS, The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A
8 Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Surface
9 Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality
10 Improvement Program (CMAQ) (23 U.S.C. § 149); and,

11 WHEREAS, Pursuant to SAFETEA, and the regulations promulgated thereunder,
12 eligible project sponsors wishing to receive federal Surface Transportation Program and/or
13 Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project
14 shall submit an application first with the appropriate Metropolitan Planning Organization
15 (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP);
16 and,

17 WHEREAS, The Metropolitan Transportation Commission (MTC) is the MPO for the
18 nine counties of the San Francisco Bay region; and,

19 WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC
20 Resolution No. 3606, revised) that sets out procedures governing the application and use of
21 STP/CMAQ funds; and,

22 WHEREAS, The San Francisco Department of Public Works (DPW) is an eligible
23 project sponsor for STP/CMAQ funds; and,

24 WHEREAS, MTC awarded to DPW a \$2.05 million grant of STP/CMAQ funds through
25 MTC's Transportation for Livable Communities (TLC) program for the Leland Avenue

1 Streetscape Improvements Project; and,

2 WHEREAS, Such federal transportation funds were appropriated by the Board of
3 Supervisors in the FY 2006-07 DPW budget; and,

4 WHEREAS, MTC requires a separate resolution adopted by the San Francisco Board
5 of Supervisors providing their support for the project; and,

6 WHEREAS, MTC also requires that the resolution adopted by the San Francisco Board
7 of Supervisors states the commitment of necessary local matching funds of 11.47%; and,

8 WHEREAS, DPW anticipates that the San Francisco County Transportation Authority
9 Board will pass a resolution at its September 18, 2007 meeting, allocating a total of \$265,600
10 in local matching funds; and,

11 WHEREAS, Various agreements need to be executed with the California Department
12 of Transportation (Caltrans) before such STP/CMAQ funds can be claimed; and,

13 WHEREAS, The City and County of San Francisco wishes to delegate authorization to
14 execute agreements for this project to the Director of Public Works; and,

15 WHEREAS, Approval of the project identified in this legislation is subject to the
16 appropriate environmental review. This Resolution does not commit the Mayor, Board,
17 Department of Public Works or any other official of the City to implement the project, nor does
18 it foreclose the possibility of considering alternatives, mitigation measures or deciding not to
19 approve or implement the project, after conducting appropriate environmental review under
20 the California Environmental Quality Act; and,

21 WHEREAS, DPW understands that STP/CMAQ funding is fixed at the programmed
22 amount, and therefore any cost increase cannot be expected to be funded with additional
23 STP/CMAQ funds; and,

24 WHEREAS, The Leland Avenue Streetscape Improvements Project will comply with
25 the procedures specified in the Regional Project Funding Delivery Policy (MTC Resolution No.

1 3606, revised); and,

2 WHEREAS, DPW will complete the project as described in the application and as
3 programmed in MTC's Transportation Improvement Program; and,

4 WHEREAS, The Leland Avenue Streetscape Improvements Project will comply with all
5 the project-specific requirements as set forth in the TLC grant program; now, therefore be it

6 RESOLVED, That the Board hereby designates DPW is an eligible sponsor for
7 STP/CMAQ funded projects; and, be it

8 FURTHER RESOLVED, That the board acknowledges that there is no legal
9 impediment to DPW making applications for the funds and there is no pending or threatened
10 litigation that might in any way adversely affect the proposed project, or the ability of DPW to
11 deliver such project; and, be it

12 FURTHER RESOLVED, The Board authorizes DPW to proceed with the federal-aid
13 process with Caltrans for the Leland Avenue Streetscape Improvements Project; and, be it

14 FURTHER RESOLVED, That the Board recognizes that DPW, on behalf of the City
15 and County of San Francisco, will secure \$265,600 in non-federal matching funds; and be it

16 FURTHER RESOLVED, That the Board anticipates that local matching funds in the
17 amount of \$265,600 will provided by Proposition K transportation sales tax funds; and be it

18 FURTHER RESOLVED, That the Board understands that federal funding for the
19 project through the TLC program is fixed at \$2.05 million, and that DPW, as the City's
20 departmental sponsor, does not expect any cost increases to be funded with additional
21 STP/CMAQ funding; and be it

22 FURTHER RESOLVED, That the Board urges DPW to comply with the funding
23 deadlines associated with these funds, the provisions and requirements of the Regional
24 Project Funding Delivery Policy (MTC Resolution No. 3606, as revised), and the requirements
25 as set forth in the TLC program; and, be it

1 FURTHER RESOLVED, That the Board urges DPW to implement the Leland Avenue
2 Streetscape Improvements Project as described in the submitted application and as
3 programmed in MTC's Transportation Improvement Program; and, be it

4 FURTHER RESOLVED, That the Board authorizes the Director of Public Works or his or
5 her designee to take any and all actions which he or the City Attorney may deem necessary or
6 advisable in order to effectuate the purpose and intent of this Resolution (including, without
7 limitation, execution of all documents pertaining to the project with Caltrans).

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Recommended:

Approved:



Department Head



to

Controller



City and County of San Francisco

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

Tails Resolution

File Number: 071144

Date Passed:

Resolution authorizing local support for the Leland Avenue Streetscape Improvements Project, designating DPW as the eligible sponsor for funding related to this project, and taking other official acts in furtherance of this project.

August 7, 2007 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Daly, Mirkarimi

File No. 071144

I hereby certify that the foregoing Resolution was ADOPTED on August 7, 2007 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved

Mayor Gavin Newsom