

1 [Accept and Expend Grant - Retroactive - Metropolitan Transportation Commission - State  
2 Transportation Development Act, Article 3 - Pedestrian and Bicycle Projects - \$1,362,816]

3 **Resolution retroactively authorizing the acceptance and expenditure of State**  
4 **Transportation Development Act, Article 3, Pedestrian and Bicycle Project funding, by**  
5 **the San Francisco Public Works from the Metropolitan Transportation Commission, for**  
6 **Fiscal Years 2021-2022, 2022-2023, and 2023-2024 in the amount of \$1,362,816 for the**  
7 **term of July 1, 2023, through June 30, 2026.**

8  
9 WHEREAS, Article 3 of the Transportation Development Act, California Public Utilities  
10 Code, Section 99230 *et seq.*, authorizes the submission of claims to a regional transportation  
11 planning agency for the funding of projects exclusively for the benefit or use of pedestrians  
12 and bicyclists; and

13 WHEREAS, The Metropolitan Transportation Commission (MTC), as the regional  
14 transportation planning agency for the San Francisco Bay region, has adopted MTC  
15 Resolution No. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and  
16 Bicycle Projects," which delineates the procedures and criteria for submission of requests for  
17 the allocation of Transportation Development Act, Article 3 funding (TDA Funds); and

18 WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA  
19 Article 3 funding be submitted as part of a single, countywide coordinated claim from each  
20 county in the San Francisco Bay region; and

21 WHEREAS, San Francisco Public Works (SFPW) desires to submit a request to MTC  
22 for the allocation of \$1,362,816 in Fiscal Year (FY) 2021-2022 through FY2023-2024 TDA  
23 Funds to support the projects and project categories described below, which are for the  
24 exclusive benefit or use of pedestrians or bicyclists; and

25 WHEREAS, The TDA Funds are to be expended from July 1, 2023, through

1 June 30, 2026; and

2 WHEREAS, SFPW has identified \$681,408 in work for the preliminary engineering and  
3 construction of curb ramps to be constructed at various locations throughout San Francisco,  
4 as required by the federal Americans with Disabilities Act, to be funded from the TDA Funds;  
5 and

6 WHEREAS, SFPW has identified \$681,408 in work to repair damaged public  
7 sidewalks, curbs, gutters, and angular returns at various locations throughout San Francisco,  
8 to be funded from the TDA Funds; and

9 WHEREAS, SFPW's actions contemplated in this Resolution are part of the Better  
10 Streets Plan (Project), for which the City's Planning Department issued a Final Amended  
11 Programmatic Mitigated Negative Declaration (PMND) on November 16, 2023, under CEQA,  
12 finding that the Project could not have a significant effect on the environment; said PMND is  
13 incorporated herein by reference; and

14 WHEREAS, As stated in the Opinion of Counsel accompanying this Resolution, the  
15 SFPW are not legally impeded from submitting a request to the Metropolitan Transportation  
16 Commission for the allocation of TDA Funds, nor SFPW legally impeded from undertaking the  
17 projects; and

18 WHEREAS, The SFPW have committed adequate staffing resources to complete the  
19 projects described in Attachment B; and

20 WHEREAS, A review of the projects described in Attachment B has resulted in the  
21 consideration of all pertinent matters, including those related to environmental and right-of-  
22 way permits and clearances, attendant to the successful completion of the project(s); and

23 WHEREAS, Issues attendant to securing environmental and right-of-way permits and  
24 clearances for the projects have been reviewed and will be concluded in a manner and on a  
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1 schedule that will not jeopardize the deadline for the use of the TDA Funds being requested;  
2 and

3 WHEREAS, The project categories are included in a locally approved bicycle,  
4 pedestrian, transit, multimodal, complete streets, capital improvement program, or other  
5 relevant plan; and

6 WHEREAS, Any project that is a bikeway will meet the mandatory minimum safety  
7 design criteria published in Chapter 1000 of the California Highway Design Manual; and

8 WHEREAS, As described in the budgets for the projects, the sources of funding other  
9 than TDA Funds are assured and adequate for completion of the projects; and

10 WHEREAS, The projects within the project categories will be completed before the  
11 grant funds expire; and

12 WHEREAS, The SFPW agree to maintain, or provide for the maintenance of, the  
13 projects and facilities for the benefit of and use by the public; and

14 WHEREAS, SFPW's proposed grant budget includes indirect costs of \$417,616; and

15 WHEREAS, The projects and project categories have been reviewed by the Bicycle  
16 Advisory Committee of the City and County of San Francisco; now, therefore, be it

17 RESOLVED, That this Board of Supervisors authorizes SFPW to retroactively accept  
18 and expend up to \$1,362,816 in state TDA Funds for FY2021-2022 through FY2023-2024 for  
19 the projects described above and to execute all required documents for receipt of such funds;  
20 and, be it

21 FURTHER RESOLVED, That this Resolution shall be applied to cover all relevant  
22 expenditures and activities undertaken from July 1, 2021, ensuring full eligibility for  
23 reimbursement under the Transportation Development Act, Article 3; and, be it

24 FURTHER RESOLVED, That a certified copy of this Resolution and its attachments,  
25 and any accompanying supporting materials shall be forwarded to the congestion

1 management agency, countywide transportation planning agency, or county association of  
2 governments, as the case may be, of San Francisco for submission to MTC as part of the  
3 countywide coordinated Transportation Development Act, Article 3 claim.

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Approved:  /s/Benjamin McCloskey

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Daniel Lurie  
Mayor

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9 Recommended:

Approved:  /s/Jocelyn Quintos

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Greg Wagner  
Controller

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/s/

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Carla Short  
Director, San Francisco Public Works

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