

1 [Acceptance of State Grant Funds.]

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3 **Resolution authorizing the Department of Public Works to accept and expend state**  
4 **Transportation Development Act (TDA) Article 3 funds totaling \$450,000 for FY 2008-09**  
5 **for various pedestrian projects in the City and County of San Francisco.**

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7 WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities  
8 Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional  
9 transportation planning agency for the funding of projects exclusively for the benefit and/or  
10 use of pedestrians and bicyclists; and,

11 WHEREAS, The Metropolitan Transportation Commission (MTC), as the regional  
12 transportation planning agency for the San Francisco Bay region, has adopted MTC  
13 Resolution No. 875, Revised, entitled "Transportation Development Act, Article 3,  
14 Pedestrian/Bicycle Projects," which delineates procedures and criteria for submission of  
15 requests for the allocation of "TDA Article 3" funding; and,

16 WHEREAS, MTC Resolution No. 875, Revised requires that requests for the allocation  
17 of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from  
18 each county in the San Francisco Bay region; and,

19 WHEREAS, MTC has granted a one-time only exception to the Department of Public  
20 Works for Fiscal Year 2008-09, allowing the Department to submit an individual claim; and,

21 WHEREAS, The Department of Public Works of the City and County of San Francisco  
22 desires to submit a request to MTC for the allocation of TDA Article 3 funds to support eligible  
23 projects that are for the exclusive benefit and/or use of pedestrians and or bicyclists; and,

24 WHEREAS, The Department of Public Works declares it is eligible to request an  
25 allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and,

1           WHEREAS, There is no pending or threatened litigation that might adversely affect the  
2 projects described in this resolution, or that might impair the ability of the Department of Public  
3 Works to implement the projects; and,

4           WHEREAS, The Department of Public Works is not legally impeded from submitting a  
5 request to the MTC for the allocation of Transportation Development Act (TDA) Article 3  
6 funds, nor is the Department of Public Works legally impeded from undertaking the projects  
7 described below; and,

8           WHEREAS, The Department of Public Works has identified \$225,000 in work for the  
9 preliminary engineering and design of curb ramps to be constructed at various locations  
10 throughout San Francisco as required by the federal Americans with Disabilities Act, to be  
11 funded from Fiscal year 2008-09 TDA Article 3 funds; and,

12           WHEREAS, The Department of Public Works has identified \$225,000 in work to repair  
13 public sidewalks at various locations throughout San Francisco to be funded from Fiscal Year  
14 2008-09 TDA Article 3 funds; and,

15           WHEREAS, The Department of Public Works has committed adequate staffing  
16 resources to complete the projects; and,

17           WHEREAS, Environmental and right-of-way issues have been reviewed and found to  
18 be in such a state that fund obligation deadlines will not be jeopardized; and,

19           WHEREAS, The City's Planning Department has determined that the Department of  
20 Public Works' actions contemplated in this Resolution are in compliance with the requirements  
21 of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et  
22 seq.); said determination is on file with the Clerk of the Board of Supervisors in File  
23 No. \_\_\_\_\_ and is incorporated herein by reference; and,

24           WHEREAS, Adequate local funding is available to complete the projects; and,  
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1           WHEREAS, The projects are ready to commence implementation during the fiscal year  
2 of the requested allocation; and,

3           WHEREAS, The Department of Public Works agrees to maintain, or provide for the  
4 maintenance of the projects for the benefit of and use by the public; and,

5           WHEREAS, The grant budget includes provision for indirect costs in the amount of  
6 \$39,227; now, therefore, be it

7           RESOLVED, That this Board of Supervisors authorizes the Department of Public  
8 Works to accept and expend up to \$450,000 in state TDA Article 3 funds for FY 2008-09 for  
9 the projects described above and to execute all required documents for receipts of such  
10 funds.

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13 Recommended:

Approved:

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16 Edward D. Reiskin,  
17 Director of Public Works

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Mayor

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Controller

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