

1 [Accept and Expend Grant - Metropolitan Transportation Commission - Visitacion Avenue
2 Pedestrian and Bicycle Safety Improvement Project - \$750,000]

3 **Resolution authorizing the Recreation and Park Department (RPD) to accept and**
4 **expend grant funds in the amount of \$750,000 from the Metropolitan Transportation**
5 **Commission (MTC) for the Visitacion Avenue Bicycle and Pedestrian Safety**
6 **Improvement Project for a grant performance period from Grant contract execution**
7 **through August 30, 2029; approving the Grant contract with MTC that requires RPD to**
8 **operate and maintain the project for a period of 20-years, commencing upon project**
9 **completion, pursuant to Charter, Section 9.118(b); and authorizing the RPD General**
10 **Manager to enter into amendments or modifications to the Grant contract that do not**
11 **materially increase the obligations or liabilities to the City and are necessary to**
12 **effectuate the purposes of the Grant contract or this Resolution.**

13

14 WHEREAS, The Priority Conservation Area Program was established as part of the
15 One Bay Area Plan that charts the course for the Bay Area's future and identifies a path to
16 make the region more equitable for all residents and more resilient in the face of unexpected
17 challenges; and

18 WHEREAS, The latest version of the plan, Plan Bay Area 2025, is made up of 35
19 strategies across four key elements: housing, the economy, transportation, and the
20 environment; and

21 WHEREAS, Plan Bay Area 2025 Environmental Element supports access to parks and
22 open space by modernizing and expanding parks, trails and recreation facilities and supports
23 these activities through the Priority Conservation Area (PCA) Program grants; and

1 WHEREAS, The Recreation and Park Department submitted a PCA Grant application
2 for the Visitacion Avenue Bicycle and Pedestrian Safety Improvement Project (“Project”) that
3 is located in McLaren Park, an existing PCA; and

4 WHEREAS, The Project was found to be consistent with the PCA Goals and was
5 awarded \$750,000 in PCA Funding from the Congestion Management Air Quality (CMAQ)
6 Improvement Program Budget; and

7 WHEREAS, As a condition of receiving the Grant, RPD is required to agree to the
8 terms of the attached Grant Contract substantially in the form which is on file with the Clerk of
9 the Board under File No. 250033 and which is hereby declared to be part of this Resolution as
10 if set forth fully herein; and

11 WHEREAS, Relevant terms of the Grant Contract include a grant performance period
12 starting upon execution of the grant agreement and ending on August 30, 2029, and

13 WHEREAS, The Grant Contract requires the property to be operated and maintained
14 for public use for a period of 20-years, commencing upon project completion; and

15 WHEREAS, The Grant does not require an amendment to the Annual Salary
16 Ordinance; and

17 WHEREAS, The Grant terms prohibit including indirect costs in the grant budget;
18 now, therefore, be it

19 RESOLVED, That the Board of Supervisors authorizes the Recreation and Park
20 Department to accept and expend the Grant; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
22 indirect costs as part of this Grant budget; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors approves the Grant Contract;
24 and, be it

1 FURTHER RESOLVED, Due to incomplete documentation in the Accept and Expend
2 submission, the funds accepted for this grant shall be placed into the Board of Supervisors'
3 reserve until released; and, be it

4 FURTHER RESOLVED, Once all outstanding documents have been submitted, the
5 Clerk of the Board is directed to schedule a hearing of the Budget and Finance Committee to
6 duly review these documents and consider the release of the funds to the Department; now
7 therefore, be it

8 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General
9 Manager to enter into any modifications and amendments to the Grant Contract, including to
10 any of its exhibits, and authorizes the RPD General Manager to execute further agreements
11 related to the Project, that the RPD General Manager determines, in consultation with the City
12 Attorney, are in the best interests of the City and do not materially increase the obligations or
13 liabilities of the City, are necessary or advisable to effectuate the purposes of the Project or
14 this Resolution, and are in compliance with all applicable laws, including the City's Charter;
15 and, be it

16 FURTHER RESOLVED, That within 30 days of the Grant Contract being fully executed
17 by all parties, RPD shall provide the final Grant Contract to the Clerk of the Board for inclusion
18 into the official file.

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