

1 [Grant of Federal Funds.]

2

3 **Resolution authorizing the Municipal Transportation Agency Board to accept and**
4 **expend \$35,351,840 of Federal Formula Section 5309 Fixed Guideway capital**
5 **assistance for construction of Muni’s Metro East Light Rail Facility, excluding**
6 **administrative overhead costs.**

7

8 WHEREAS, The Secretary of Transportation is authorized to make monies available
9 under the Transportation Equity Act for the 21st Century (TEA 21) for mass transportation
10 projects; and

11 WHEREAS, The Municipal Transportation Agency (MTA) of the City and County of San
12 Francisco, is an eligible claimant for flexible capital or operating assistance projects under
13 Section 5309-Fixed Guideway of TEA 21; and

14 WHEREAS, The grant contract for financial assistance will impose certain obligations
15 upon the applicant, including providing the local share of project costs; and

16 WHEREAS, The local share of project costs will be funded through a variety of
17 sources, which may include San Francisco Municipal Railway Fare Revenue, San Francisco
18 Municipal Railway Improvement Corporation funds, Regional Bridge Toll net revenues and/or
19 sales taxes from the San Francisco County Transportation Authority; and

20 WHEREAS, The U.S. Department of Transportation (DOT) requires that in connection
21 with the filing of an application for federal assistance, the applicant give an assurance that it
22 will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of
23 Transportation requirements implementing that Act; and

24 WHEREAS, It is the goal of the applicant that disadvantaged business enterprises
25 (DBEs) be utilized to the fullest extent possible in connection with this project, and that

1 definitive procedures shall be established and administered, consistent with federal law, to
2 ensure that DBEs be utilized to the fullest extent possible and shall have the maximum
3 possible opportunity to compete for contracts, supplies, equipment contracts, or consultant
4 and other services; and

5 WHEREAS, Section 5309 Fixed Guideway is a formula-apportioned source of funds
6 that may be used to build new fixed guideway systems or modernize and enhance existing
7 fixed guideway systems, including repairing and purchasing rolling stock to operate as part of
8 the fixed guideway system; and

9 WHEREAS, The Metropolitan Transportation Commission has prepared a regional
10 program of projects that are funded through Section 5309; and

11 WHEREAS, The MTA's projects that are included in the regional program are high
12 priority Municipal Railway capital improvements listed in MTA's current Short Range Transit
13 Plan and in the Regional Transportation Plan and include the Metro East Light Rail facility ;
14 and

15 WHEREAS, The Director of Transportation of the MTA (or his designee) must execute
16 agreements to complete transfer of the funds now, therefore, be it

17 RESOLVED, That the Municipal Transportation Agency is authorized to accept and
18 expend \$35,351,840 in federal Section 5309 Fixed Guideway capital assistance for the Metro
19 East Light Rail facility project; and, be it

20 FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional
21 information or assurances that might be requested by the funding agencies in connection with
22 this request; and, be it

23 FURTHER RESOLVED, That the MTA is authorized to execute any and all agreements
24 necessary to complete transfer of the funds.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:

GAVIN NEWSOM
Mayor

EDWARD HARRINGTON
Controller