

1 [Grant of Federal Funds.]

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**Resolution authorizing the Municipal Transportation Agency Board to accept and  
expend \$8,857,610 of Federal New Starts Capital Assistance for the Third Street-Phase  
II, New Central Subway project excluding administrative overhead costs.**

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

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WHEREAS, The Municipal Transportation Agency (MTA) of the City and County of San  
Francisco, is an eligible claimant for FTA capital assistance under Section 5309 of TEA 21;  
and

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

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WHEREAS, The local share of project costs will be provided using Traffic Congestion  
Relief Plan and/or sales taxes from the San Francisco County Transportation Authority; and

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

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WHEREAS, It is the goal of the applicant that disadvantaged business enterprises  
(DBEs) be utilized to the fullest extent possible in connection with this project, and that  
definitive procedures shall be established and administered, consistent with federal law, to  
ensure that DBEs be utilized to the fullest extent possible and shall have the maximum

1 possible opportunity to compete for contracts, supplies, equipment contracts, or consultant  
2 and other services; and

3 WHEREAS, Congress has dedicated funding in TEA 21 for a national program of  
4 projects using Section 5309 New Starts capital assistance; and

5 WHEREAS, The Third Street Phase II-- New Central Subway project, included in the  
6 national program, is a high priority San Francisco project; and

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

9 RESOLVED, That, on behalf of the City and County of San Francisco, the MTA is  
10 authorized to execute and file an application for Section 5309 New Starts program funding  
11 with DOT to aid in completing the Third Street Phase II-- New Central Subway project; and, be  
12 it

13 FURTHER RESOLVED, That the MTA is authorized to execute and file with such  
14 application an assurance or any other document required by DOT effectuating the purpose of  
15 Title VI of the Civil Rights Act of 1964; and, be it

16 FURTHER RESOLVED, That the MTA is authorized to accept and expend \$8,857,610  
17 in FTA TEA 21 New Starts capital assistance for the Third Street Phase II-- New Central  
18 Subway project; and, be it:

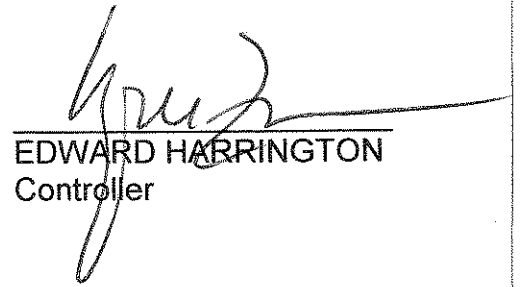
19 FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional  
20 information or assurances that might be requested by the funding agencies in connection with  
21 this request; and, be it

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

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**RECOMMENDED:**

  
GAVIN NEWSOM  
Mayor

  
EDWARD HARRINGTON  
Controller



# City and County of San Francisco

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

## Tails Resolution

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**File Number:** 040436

**Date Passed:**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$8,857,610 of Federal New Starts Capital Assistance for the Third Street-Phase II, New Central Subway project excluding administrative overhead costs.

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September 14, 2004 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040436

I hereby certify that the foregoing Resolution was ADOPTED on September 14, 2004 by the Board of Supervisors of the City and County of San Francisco.

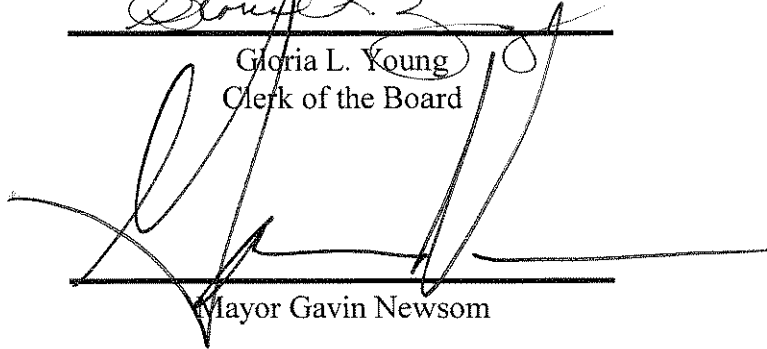
SEP 23 2004

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Date Approved



Gloria L. Young  
Clerk of the Board



Mayor Gavin Newsom