

1 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$907,824]

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3 **Resolution authorizing the acceptance and expenditure of state Transportation**
4 **Development Act Article 3 funds for various pedestrian and bicycle projects in San**
5 **Francisco in FY2012-2013, totaling \$907,824 including \$453,912 for the Department of**
6 **Public Works and \$453,912 for the San Francisco Municipal Transportation Agency.**
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8 WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities
9 Code Section 99230 *et seq.*, authorizes the submission of claims to a regional transportation
10 planning agency for the funding of projects exclusively for the benefit and/or use of
11 pedestrians and bicyclists; and

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

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

20 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) and the
21 Department of Public Works (DPW) are eligible to request allocations of TDA Article 3 funds
22 pursuant to Sections 99233.3 and 99234 of the Public Utilities Code; and

23 WHEREAS, SFMTA and DPW desire to submit a request to MTC for an allocation of
24 TDA Article 3 funds to support eligible projects that are for the exclusive benefit and/or use of
25 pedestrians and/or bicyclists; and

1 WHEREAS, The SFMTA has identified \$453,912 in work for the engineering,
2 construction, maintenance and project management of bicycle facility projects, and bicycle
3 safety and education projects (not to exceed 5% of the total county claim amount) in San
4 Francisco to be funded from Fiscal Year 2012-2013 TDA Article 3 funds; and

5 WHEREAS, There is no legal impediment or pending or threatened litigation that might
6 adversely affect the implementation of bicycle safety education programs or the engineering
7 of bicycle facility projects; and

8 WHEREAS, The City's Planning Commission has determined that the SFMTA's actions
9 contemplated in this Resolution are in compliance with the requirements of the California
10 Environmental Quality Act (CEQA, Public Resources Code Sections 21000 *et seq.*), which
11 decision has been upheld by the Board of Supervisors; said determination is on file with the
12 Clerk of the Board of Supervisors in File No. 120479 and is incorporated herein by reference;
13 and

14 WHEREAS, The SFMTA Board of Directors adopted Resolution No. 12-047 at its April
15 17, 2012 meeting, authorizing the Director of Transportation of the SFMTA (or his designee)
16 to execute documents necessary to accept and expend \$453,912 of FY 2012-2013 TDA
17 Article 3 funds for bicycle safety outreach and education programs and bicycle facility
18 projects; and

19 WHEREAS, DPW has identified \$226,956 in work for the preliminary engineering and
20 design of curb ramps to be constructed at various locations throughout San Francisco as
21 required by the federal Americans with Disabilities Act, to be funded from FY 2012-2013 TDA
22 Article 3 funds; and

23 WHEREAS, DPW has identified \$226,956 in work to repair public sidewalks at various
24 locations throughout San Francisco to be funded from FY 2012-2013 TDA Article 3 funds; and
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1 WHEREAS, There is no legal impediment or pending or threatened litigation that might
2 adversely affect DPW's projects described above, or that might impair the ability of DPW to
3 implement the projects; and

4 WHEREAS, Environmental and right-of-way issues have been reviewed, and will not
5 jeopardize DPW's ability to meet fund obligations deadlines; and

6 WHEREAS, The City's Planning Department has determined that DPW's actions
7 contemplated in this Resolution are in compliance with the requirements of the California
8 Environmental Quality Act (CEQA, Public Resources Code Sections 21000 *et seq.*); said
9 determination is on file with the Clerk of the Board of Supervisors in File No. 120479 and is
10 incorporated herein by reference; and

11 WHEREAS, The SFMTA's and DPW's staffing resources are adequate to complete the
12 projects; and

13 WHEREAS, Adequate local funding is available to complete the projects; and

14 WHEREAS, The projects are ready to commence implementation during the fiscal year
15 of the requested allocation; and

16 WHEREAS, The SFMTA and DPW agree to maintain or provide for the maintenance of
17 the projects for the benefit of and use by the public; and

18 WHEREAS, DPW's proposed grant budget includes indirect costs of \$179,000 and the
19 SFMTA's grant budget does not include provision for indirect costs; now, therefore, be it

20 RESOLVED, That this Board of Supervisors authorizes the San Francisco Municipal
21 Transportation Agency and the Department of Public Works to accept and expend up to
22 \$907,824 in state TDA Article 3 funds for FY 2012-2013 for the projects described above and
23 to execute all required documents for receipt of such funds.

1 Recommended:

Approved _____
Mayor

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Edward D Reiskin
Director of Transportation, SFMTA

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7 Recommended:

Approved _____
Controller

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Mohammed Nuru
Director of Public Works

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