

1 [Accept and Expend Grant - State Transportation Development Act, Article 3 - Pedestrian and  
2 Bicycle Project - \$1,014,983]

3 **Resolution authorizing the acceptance and expenditure of State Transportation**  
4 **Development Act, Article 3, Pedestrian and Bicycle Project funding in the amount of**  
5 **\$1,014,983, including \$503,135 for Public Works and \$511,848 for the San Francisco**  
6 **Municipal Transportation Agency for the period of July 1, 2015, through June 30, 2018.**

7  
8 WHEREAS, Article 3 of the Transportation Development Act (TDA), California Public  
9 Utilities Code Section 99230 *et seq.*, authorizes the submission of claims to a regional  
10 transportation planning agency for the funding of projects exclusively for the benefit or use of  
11 pedestrians 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. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and  
15 Bicycle Projects," which delineates procedures and criteria for submission of requests for the  
16 allocation of TDA Article 3 funding; and

17 WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA  
18 Article 3 funding be submitted as part of a single, countywide coordinated claim from each  
19 county in the San Francisco Bay region; and

20 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) and San  
21 Francisco Public Works (SFPW) desire to submit a request to MTC for the allocation of TDA  
22 Article 3 Funds to support the projects described below, which are for the exclusive benefit or  
23 use of pedestrians or bicyclists; and

1           WHEREAS, The SFMTA has identified \$511,848 in projects for the engineering,  
2 construction, maintenance and project management of bicycle facility projects in San  
3 Francisco to be funded from FY2015-2016 TDA Article 3 grant funds; and

4           WHEREAS, The SFMTA will not proceed with any project until there has been  
5 complete compliance with the requirements of the California Environmental Quality Act  
6 (CEQA, Public Resources Code Sections 21000 et seq.) and the City's environmental quality  
7 regulations for each bicycle facility project; specifically, the SFMTA retains the absolute  
8 discretion to (1) modify the project to mitigate significant adverse environmental impacts; (2)  
9 select feasible alternatives which avoid significant adverse impacts of the project; (3) require  
10 the implementation of specific measures to mitigate the significant adverse environmental  
11 impacts of the project; (4) reject the project if the economic and social benefits of the project  
12 do not outweigh otherwise unavoidable significant adverse environmental impacts; or (5)  
13 approve the project upon a finding that the economic and social benefits of the project  
14 outweigh otherwise unavoidable significant adverse impacts; and

15           WHEREAS, On May 19, 2015, the SFMTA Board of Directors adopted Resolution No.  
16 15-075, authorizing the Director of Transportation of the SFMTA (or his designee) to accept  
17 and expend \$511,848 of FY2015-2016 TDA Article 3 grant funds for bicycle facility projects;  
18 and

19           WHEREAS, SFPW has identified \$251,568 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 FY2015-2016 TDA  
22 Article 3 grant funds; and

23           WHEREAS, SFPW has identified \$251,567 in work to repair public sidewalks at various  
24 locations throughout San Francisco to be funded from FY2015-2016 TDA Article 3 grant  
25 funds; and

1           WHEREAS, The City’s Planning Department has determined that SFPW’s actions  
2 contemplated in this Resolution are in compliance with the requirements of the California  
3 Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.);  
4 specifically, curb ramps are categorically exempt and public sidewalk reconstruction is  
5 deemed not a project activity requiring review under CEQA; said determinations are  
6 incorporated herein by reference; and

7           WHEREAS, SFMTA and SFPW are not legally impeded from submitting a request to  
8 the Metropolitan Transportation Commission for the allocation of TDA Article 3, nor are  
9 SFMTA and SFPW legally impeded from undertaking the projects; and

10          WHEREAS, The SFMTA and SFPW have committed adequate staffing resources to  
11 complete the projects; and

12          WHEREAS, A review of the projects has resulted in the consideration of all pertinent  
13 matters, including those related to environmental and right-of-way permits and clearances,  
14 attendant to the successful completion of the projects; and

15          WHEREAS, Issues attendant to securing environmental and right-of-way permits and  
16 clearances for the projects have been reviewed and will be concluded in a manner and on a  
17 schedule that will not jeopardize the deadline for the use of the TDA funds being requested;  
18 and

19          WHEREAS, The projects are included in a locally approved bicycle, pedestrian, transit,  
20 multimodal, complete streets, or other relevant plan; and

21          WHEREAS, Any project that is a bikeway will meet the mandatory minimum safety  
22 design criteria published in Chapter 1000 of the California Highway Design Manual; and

23          WHEREAS, That as described in the budgets for the projects, the sources of funding  
24 other than TDA are assured and adequate for completion of the projects; and

25          WHEREAS, The projects will be completed before the grant funds expire; and

1           WHEREAS, The SFMTA and SFPW agree to maintain, or provide for the maintenance  
2 of, the projects and facilities for the benefit of and use by the public; and

3           WHEREAS, SFPW's proposed grant budget includes indirect costs of \$174,502, and  
4 the SFMTA's grant budget includes indirect costs of \$230,331; now, therefore, be it

5           RESOLVED, That the SFMTA and SFPW declare they are eligible to request an  
6 allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and,  
7 be it

8           FURTHER RESOLVED, That there is no pending or threatened litigation that might  
9 adversely affect the projects described above, or that might impair the ability of the SFMTA or  
10 SFPW to carry out the projects; and, be it

11          FURTHER RESOLVED, That the projects have been reviewed by the Bicycle Advisory  
12 Committee of the City and County of San Francisco; and, be it

13          FURTHER RESOLVED, That a certified copy of this resolution and its attachments,  
14 and any accompanying supporting materials shall be forwarded to the congestion  
15 management agency, countywide transportation planning agency, or county association of  
16 governments, as the case may be, of San Francisco for submission to MTC as part of the  
17 countywide coordinated TDA Article 3 claim; and, be it

18          FURTHER RESOLVED, That this Board of Supervisors authorizes the SFMTA and  
19 SFPW to accept and expend up to \$1,014,983 in state TDA Article 3 Funds for FY2015-2016  
20 for the projects described above and to execute all required documents for receipt of such  
21 funds.

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Recommended:

Approved: \_\_\_\_\_

Mayor

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Edward D Reiskin  
Director of Transportation, SFMTA

Approved \_\_\_\_\_

Controller

Recommended:

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Mohammed Nuru  
Director of Public Works