

1 [Accept and Expend Grant – Pedestrian and Bicycle Projects - \$685,000]

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3 **Resolution authorizing the San Francisco Municipal Transportation Agency and the**
4 **Department of Public Works to accept and expend state Transportation Development**
5 **Act Article 3 funds totaling \$685,000 which consists of \$310,000 to the Department of**
6 **Public Works and \$375,000 to the San Francisco Municipal Transportation Agency, for**
7 **various pedestrian and bicycle projects in the City and County of San Francisco in**
8 **FY2010-2011.**
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10 WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities
11 Code (PUC) Section 99200 *et seq.*, authorizes the submission of claims to a regional
12 transportation planning agency for the funding of projects exclusively for the benefit and/or
13 use of pedestrians and bicyclists; and,

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

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

22 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) and the
23 Department of Public Works (DPW) of the City and County of San Francisco desire to submit
24 a request to MTC for the allocation of TDA Article 3 funds to support eligible projects that are
25 for the exclusive benefit and/or use of pedestrians and or bicyclists; and,

1 WHEREAS, The SFMTA and DPW are eligible to request allocations of TDA Article 3
2 funds pursuant to Sections 99233.3 and 99234 of the Public Utilities Code to support various
3 pedestrian and bicycle improvements; and,

4 WHEREAS, The SFMTA has identified \$41,000 in work for various bicycle safety
5 education programs to be funded from Fiscal Year 2010-11 TDA Article 3 funds; and,

6 WHEREAS, The SFMTA has identified \$334,000 in work for the planning, engineering,
7 implementation, and maintenance of bicycle facility projects at various locations throughout
8 San Francisco to be funded from Fiscal Year 2010-11 TDA Article 3 funds; and,

9 WHEREAS, There is no legal impediment or pending or threatened litigation that might
10 adversely affect the implementation of bicycle safety education programs or the planning and
11 engineering of bicycle facility projects; and,

12 WHEREAS, The SFMTA will not implement the bicycle facility projects until after the
13 injunction preventing the City from implementing the San Francisco Bicycle Plan has been
14 lifted by the San Francisco Superior Court; and

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

21 WHEREAS, The SFMTA Board of Directors adopted Resolution No. 10-072 at its June
22 1, 2010 meeting, authorizing the Executive Director/CEO of the SFMTA (or his designee) to
23 execute documents necessary to accept and expend \$375,000 of Fiscal Year 2010-11 TDA
24 Article 3 funds for engineering for various bicycle projects and for bicycle safety programs;
25 and,

1 WHEREAS, DPW has identified \$155,000 in work for the preliminary engineering and
2 design of curb ramps to be constructed at various locations throughout San Francisco as
3 required by the federal Americans with Disabilities Act, to be funded from Fiscal Year 2010-11
4 TDA Article 3 funds; and,

5 WHEREAS, DPW has identified \$155,000 in work to repair public sidewalks at various
6 locations throughout San Francisco to be funded from Fiscal Year 2010-11 TDA Article 3
7 funds; and,

8 WHEREAS, There is no legal impediment or pending or threatened litigation that might
9 adversely affect DPW's projects described above, or that might impair the ability of DPW to
10 implement the projects; and,

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

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

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

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

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

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

1 WHEREAS, The proposed grant budgets do not include indirect costs; now, therefore,
2 be it

3 RESOLVED, That this Board of Supervisors authorizes the San Francisco Municipal
4 Transportation Agency and the Department of Public Works to accept and expend up to
5 \$685,000 in state TDA Article 3 funds for FY 2010-11 for the projects described above and to
6 execute all required documents for receipts of such funds.

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9 Recommended:

Approved _____
Mayor

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12 _____
Nathaniel P. Ford Sr.
Executive Director/CEO, SFMTA

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15 Recommended:

Approved _____
Controller

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18 _____
Edward Reiskin
Director of Public Works