[Grant of Federal Funds.]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $35,351,840 of Federal Formula Section 5309 Fixed Guideway capital projects and activities, excluding administrative overhead costs.

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

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

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

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

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

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

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

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

WHEREAS, The MTA's projects that are included in the regional program are high
priority Municipal Railway capital improvements listed in MTA's current Short Range Transit
Plan and in the Regional Transportation Plan and include trolley coach procurement, cable
infrastructure rehabilitation, rail replacement, overhead lines reconstruction, historic
streetcar rehabilitation, wayside fare collection equipment procurement and Metro East Light
Rail Facility; and

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

RESOLVED, That the Municipal Transportation Agency is authorized to accept and
expend $35,351,840 in federal Section 5309 Fixed Guideway capital assistance for the
following projects:

• Trolley Coach Procurement

• Cable Car Infrastructure Rehabilitation

• MUNI Rail Replacement

• Overhead Lines Reconstruction

• Historic Rail Car Rehabilitation
• Wayside Fare Collection Equipment
• Metro East Light Rail Facility; and, be it

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

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

RECOMMENDED:

GAVIN NEWSOM  
Mayor

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

June 29, 2004   Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

I hereby certify that the foregoing Resolution was ADOPTED on June 29, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom