Resolution retroactively authorizing the acceptance and expenditure of State Transportation Development Act, Article 3, Pedestrian and Bicycle Project funding for Fiscal Year (FY) 2020-2021, in the amount of $1,215,999 which includes $607,999 for Public Works and $608,000 for the Municipal Transportation Agency, for the term of July 1, 2020, through June 30, 2023.

WHEREAS, Article 3 of the Transportation Development Act, California Public Utilities Code Section 99230 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit or use of pedestrians and bicyclists; and

WHEREAS, The Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, entitled “Transportation Development Act, Article 3, Pedestrian and Bicycle Projects,” which delineates the procedures and criteria for submission of requests for the allocation of Transportation Development Act, Article 3 funding (TDA Funds); and

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

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Public Works (SFPW) desire to submit a request to MTC for the allocation of $1,215,999 in Fiscal Year (FY) 2020-2021 TDA Funds to support the projects and project categories described below, which are for the exclusive benefit or use of pedestrians or bicyclists; and
WHEREAS, The TDA Funds are to be expended from July 1, 2020, through
June 30, 2023; and

WHEREAS, In its Project Application, the SFMTA seeks $608,000 of the TDA Funds
for Vision Zero Bicycle and Pedestrian Improvements; and

WHEREAS, On August 20, 2020, the SFMTA, under authority delegated by the
Planning Department, determined that acceptance and expenditure of the TDA Funds is not a
"project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the
California Code of Regulations Sections 15060(c) and 15378(b); and

WHEREAS, On September 15, 2020, the SFMTA Board of Directors adopted
Resolution No. 200915-078, authorizing the Director of Transportation (or his designee) to
accept and expend $608,000 of the TDA Funds for Vision Zero Bicycle and Pedestrian
Improvements, as set forth in the Transportation Development Act, Article 3 Project
Application; and

WHEREAS, Revenue to fund Vision Zero Bicycle and Pedestrian Improvements has
fallen short of anticipated projects due to COVID-19, including the TNC Tax, causing delays in
Vision Zero quick-build project consultation; and

WHEREAS, SFPW has identified $304,000 in work for the preliminary engineering and
construction of curb ramps to be constructed at various locations throughout San Francisco,
as required by the federal Americans with Disabilities Act, to be funded from the TDA Funds;
and

WHEREAS, SFPW has identified $303,999 in work to repair damaged public
sidewalks, curbs, gutters, and angular returns at various locations throughout San Francisco,
to be funded from the TDA Funds; and

WHEREAS, SFPW’s actions contemplated in this Resolution are part of the Better
Streets Plan (Project), for which the City’s Planning Department issued a Final Amended
Programmatic Mitigated Negative Declaration (PMND) on September 17, 2010, under CEQA, finding that the Project could not have a significant effect on the environment; said PMND is incorporated herein by reference; and

WHEREAS, As stated in the Opinion of Counsel accompanying this Resolution, the SFMTA and SFPW are not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of TDA Funds, nor are the SFMTA and SFPW legally impeded from undertaking the projects; and

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

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

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

WHEREAS, The project categories are included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, capital improvement program, or other relevant plan; and

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

WHEREAS, As described in the budgets for the projects, the sources of funding other than TDA Funds are assured and adequate for completion of the projects; and

WHEREAS, The projects within the project categories will be completed before the
grant funds expire; and

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

WHEREAS, SFPW’s proposed grant budget includes indirect costs of $229,915, and
the SFMTA’s proposed grant budget includes indirect costs of $245,448; and

WHEREAS, The projects and project categories have been reviewed by the Bicycle
Advisory Committee of the City and County of San Francisco; now, therefore, be it

RESOLVED, That this Board of Supervisors authorizes the SFMTA and SFPW to
accept and expend up to $1,215,999 in state TDA Funds for FY2020-2021 for the projects
further described in Attachment 2 of this File No. 201425, and to execute all required
documents for receipt of such funds; and, be it

FURTHER RESOLVED, That for the SFMTA, the TDA funds will be used to fund Vision
Zero Bicycle and Pedestrian Improvements already identified in the SFMTA’s FY2021-25
Capital Improvement Program (CIP) which have been delayed as a result of revenue
shortfalls due to COVID-19, including TNC Tax shortfalls; and, be it

FURTHER RESOLVED, That a certified copy of this Resolution and its attachments,
and any accompanying supporting materials shall be forwarded to the congestion
management agency, countywide transportation planning agency, or county association of
governments, as the case may be, of San Francisco for submission to MTC as part of the
countywide coordinated Transportation Development Act, Article 3 claim.
Recommended: __________________________

/approved: __________________________

Mayor

_________________________
Jeffrey Tumlin
Director of Transportation, San Francisco Municipal Transportation Agency

Recommended: __________________________

/approved: __________________________

Controller

_________________________
Alaric Degranfinried
Acting Director, San Francisco Public Works

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February 03, 2021 Budget and Finance Committee - RECOMMENDED

February 09, 2021 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskir, Preston, Ronen, Safai, Stefani and Walton

February 09, 2021 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskir, Preston, Ronen, Safai, Stefani and Walton

File No. 201425

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 2/9/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

2.19.21