Resolution authorizing the acceptance and expenditure of State Transportation Development Act, Article 3, Pedestrian and Bicycle Project funding, in the amount of $973,909, including $486,955 for Public Works and $486,954 for the San Francisco Municipal Transportation Agency, for the period of July 1, 2016 through June 30, 2019.

WHEREAS, Article 3 of the Transportation Development Act (TDA), 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 TDA Article 3 funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding 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 TDA Article 3 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 SFMTA has identified $486,954 in projects for the engineering, construction, maintenance, and project management of pedestrian and bicycle project categories in San Francisco to be funded from FY2016-2017 TDA Article 3 grant funds; and

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

WHEREAS, On April 19, 2016, the SFMTA Board of Directors adopted Resolution No. 160514, authorizing the Director of Transportation of the SFMTA (or his designee) to accept and expend $497,762 of FY2016-2017 TDA Article 3 grant funds for pedestrian and bicycle project categories; and

WHEREAS, SFPW has identified $243,477 in work for the preliminary engineering and design 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 FY2016-2017 TDA Article 3 grant funds; and

WHEREAS, SFPW has identified $243,478 in work to repair public sidewalks at various locations throughout San Francisco to be funded from FY2016-2017 TDA Article 3 grant funds; and
WHEREAS, The City's Planning Department has determined that SFPW's actions contemplated in this Resolution are in compliance with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.); specifically, curb ramps are categorically exempt and public sidewalk reconstruction is deemed not a project activity requiring review under CEQA; said determinations are incorporated herein by reference; and

WHEREAS, SFMTA and SFPW are not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of TDA Article 3, nor are 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, 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, That as described in the budgets for the projects, the sources of funding other than TDA 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 $165,337, and
the SFMTA's grant budget includes indirect costs of $230,767; now, therefore, be it

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

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

FURTHER RESOLVED, That the projects and project categories have been reviewed
by the Bicycle Advisory Committee of the City and County of San Francisco; 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 TDA Article 3 claim; and, be it

FURTHER RESOLVED, That this Board of Supervisors authorizes the SFMTA and
SFPW to accept and expend up to $973,909 in state TDA Article 3 Funds for FY2016-2017 for
the projects described above and to execute all required documents for receipt of such funds.
Resolution authorizing the acceptance and expenditure of State Transportation Development Act, Article 3, Pedestrian and Bicycle Project funding, in the amount of $973,909, including $486,955 for Public Works and $486,954 for the San Francisco Municipal Transportation Agency, for the period of July 1, 2016 through June 30, 2019.

July 21, 2016 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 21, 2016 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 26, 2016 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

File No. 160514

I hereby certify that the foregoing Resolution was ADOPTED on 7/26/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Cabillo
Clerk of the Board

Mayor

Date Approved