

1 [Grant of Federal Funds.]  
2

3 **Resolution authorizing the Municipal Transportation Agency to accept and expend**  
4 **\$46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital**  
5 **assistance for various Municipal Railway capital projects and activities, excluding**  
6 **citywide indirect costs.**  
7

8 WHEREAS, The Secretary of Transportation is authorized to make monies available  
9 under the Federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act-A Legacy  
10 for Users (SAFETEA-LU) for mass transportation projects; and

11 WHEREAS, The Municipal Transportation Agency (MTA), City and County of San  
12 Francisco, is an eligible claimant for flexible capital or operating assistance projects under  
13 Section 5309 of SATETEA-LU; and

14 WHEREAS, Section 5309 fixed guideway funds are apportioned according to a  
15 statutory formula and may be used to build new fixed guideway systems or modernize and  
16 enhance existing fixed guideway systems, including repairing and purchasing rolling stock to  
17 operate as part of the fixed guideway system; and

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

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

24 WHEREAS, The U.S. Department of Transportation (DOT) requires that in connection  
25 with the filing of an application for federal assistance, the applicant give an assurance that it

1 will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements  
2 implementing that Act; and

3 WHEREAS, It is the goal of the applicant that disadvantaged business enterprises  
4 (DBEs) be utilized to the fullest extent possible in connection with this project, and that  
5 definitive procedures shall be established and administered, consistent with federal law, to  
6 ensure that DBEs be utilized to the fullest extent possible and shall have the maximum  
7 possible opportunity to compete for contracts, supplies, equipment contracts, or consultant  
8 and other services; and

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

11 WHEREAS, The Municipal Railway's projects that are included in the regional program  
12 are high priority Municipal Railway capital improvements listed in MTA's current Short Range  
13 Transit Plan and in the Regional Transportation Plan; and

14 WHEREAS, The grant does not require an ASO amendment; and

15 WHEREAS, There is no allowance for citywide indirect costs; and

16 WHEREAS, The Executive Director/CEO of the MTA (or his designee) must execute  
17 agreements to complete transfer of the funds; now, therefore, be it

18 RESOLVED, That on behalf of the City and County of San Francisco, the MTA is  
19 authorized to accept and expend \$45,547,421 in federal Section 5309 fixed guideway capital  
20 assistance for the following projects:

- 21 • Cable Car Infrastructure Rehabilitation
- 22 • Muni Rail Replacement
- 23 • Wayside Central Train Control
- 24 • Cable Car Vehicle Rehabilitation
- 25 • Historic Rail Car Rehabilitation

- LRV Rehabilitation
- Overhead Lines Reconstruction
- Metro East Maintenance facility Construction; and, be it

FURTHER RESOLVED, That the Board of Supervisors waives inclusion of citywide indirect costs in the grant budget; 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

  
for EDWARD HARRINGTON  
Controller

  
NATHANIEL F. FORD, SR.  
Executive Director/CEO



City and County of San Francisco

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Tails  
Resolution

File Number: 071339

Date Passed:

Resolution authorizing the Municipal Transportation Agency to accept and expend \$46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

October 23, 2007 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell,  
Mirkarimi, Peskin, Sandoval  
Excused: 1 - McGoldrick

File No. 071339

I hereby certify that the foregoing Resolution was ADOPTED on October 23, 2007 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Date Approved

Mayor Gavin Newsom