

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 230905-073

WHEREAS, In 2009, the SFMTA Board of Directors passed Resolution No. 09-191, delegating to the Director of Transportation (Director) broad authority to approve and execute grant agreements where the SFMTA is the recipient; and,

WHEREAS, In 2019, the SFMTA Board of Directors adopted the SFMTA Contract Approval Delegation and Requirements Policy (“Delegation Policy”), which consolidated and superseded previous contracting delegations, including the 2009 delegation; and,

WHEREAS, The Delegation Policy authorizes the Director to approve grant agreements that provide for mutual indemnity with a granting public agency, but requires approval by the SFMTA Board where the SFMTA unilaterally indemnifies the granting public agency; and

WHEREAS, Grant agreements that provide for unilateral indemnity of the granting public agency are more common than agreements that provide mutual indemnity, which are uncommon; and,

WHEREAS, Delegating to the Director authority to approve and execute grant agreements that provide for mutual indemnity of the granting public agency would reduce administrative paperwork, streamline the grants process, enable the Director to immediately enter certain grant agreements with our funding partners, and allow the SFMTA to accept and expend limited grant funds expeditiously; and,

WHEREAS, On August 29, 2023, the SFMTA, under authority delegated by the Planning Department, determined that amending the existing SFMTA Contract Approval Delegation and Requirements Policy to delegate to the Director of Transportation authority to approve and execute grant agreements where the SFMTA, as grant recipient, provides unilateral indemnity to granting public agencies within certain limits 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 therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends the existing SFMTA Contract Approval Delegation and Requirements Policy to delegate to the Director of Transportation authority to approve and execute grant agreements where the SFMTA, as grant recipient, provides unilateral indemnity to granting public agencies within certain limits.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of September 5, 2023.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency