

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 190205-014

WHEREAS, On July 15, 2014, the SFMTA Board of Directors approved Contract No. 2013-19 with Siemens Industry, Inc., to provide up to 260 light rail vehicles (LRVs), including two options for expansion LRVs; and,

WHEREAS, Under State law, the State Controller distributes property taxes to the City and County of San Francisco (City), the San Francisco Unified School District, and other taxing entities within San Francisco; In 1992 and 1993, as a means of balancing the State budget, the State directed all counties to create an Educational Revenue Augmentation Fund (ERAF) and shift local property tax revenue to the fund. In San Francisco, 25% of collections from the base property tax rate is allocated to ERAF; and,

WHEREAS, The property tax roll has grown by 20% in the last two years, which has increased funding for ERAF to a level that exceeds the City's funding obligation; therefore, the excess property tax contributions will be returned to the City; the SFMTA will receive a one-time payment of \$38,124,000 of the ERAF funds; and,

WHEREAS, The SFMTA considered various initiatives and capital projects for the use of these one-time funds, reviewing the primary source for these needs—the 2017 SFMTA Capital Plan, adopted by the Board on August 15, 2017; and,

WHEREAS, The replacement of the LRV fleet is an identified need within the Capital Plan, and was determined, among the various project alternatives, to have the greatest immediate impact, in light of rail system performance and the opportunity to replace vehicles at a more rapid pace; and,

WHEREAS, The benefits of using the additional General Fund revenues to accelerate the LRV replacement include putting more new and reliable trains in service, starting the retirement of 151 LRVs six months early, and speeding up the production rate with delivery of the last new LRV 14 to 18 months early; and,

WHEREAS, Under Section 8A.106(d) of the Charter, the SFMTA will seek a Budget Amendment and Supplemental Appropriation for the ERAF funds; and

WHEREAS, The proposed allocation of funds for LRV procurement is subject to the California Environmental Quality Act (CEQA); CEQA provides a statutory exemption from environmental review—as defined in Section 21080(b)(10) of the California Resources Code and Section 15275(a) of Title 14 of the California Code of Regulations—for the institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use; and,

WHEREAS, On June 19, 2014, the Planning Department determined (Case Number 2014.0929E) that LRV procurement is statutorily exempt from environmental review under

Section 21080(b)(10) of the California Resources Code and Section 15275(a) of Title 14 of the California Code of Regulations; this is because the procurement involves an increase of service on rail lines already in use; and,

WHEREAS, The Central Subway Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (Central Subway SEIS/SEIR) evaluated the environmental impacts of the Central Subway Project, including construction of the subway stations; on August 7, 2008, the San Francisco Planning Commission certified the Final SEIR (Case No. 1996.281E); on August 19, 2008, the SFMTA Board of Directors approved Resolution 08-150 adopting Central Subway Project Alternative 3B as the Locally Preferred Alternative, the CEQA Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan; and,

WHEREAS, The procurement of LRVs described herein to be used for Central Subway service is within the scope of the Central Subway SEIS/SEIR; and,

WHEREAS, A copy of the CEQA determination and the Central Subway SEIS/SEIR are on file with the Secretary to the SFMTA Board of Directors, and are incorporated herein by reference; and,


WHEREAS, Other capital projects may receive all or a portion of the ERAF revenues; in such a case, the Agency will conduct appropriate environmental review prior to approval of such capital projects; now, therefore, be it

RESOLVED, That the SFMTA Board has reviewed and considered the Central Subway SEIS/SEIR and record as a whole, and finds that the Central Subway SEIS/SEIR is adequate for the Board's use as the decision-making body for the actions taken herein relative to construction of the Project, and incorporates the CEQA findings by this reference as though set forth in this Resolution; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to submit a request to the Board of Supervisors for a Budget Amendment and Supplemental Appropriation of \$38.1 million for Fiscal Year 2019 to support the acceleration of the purchase of light rail vehicles for the Muni transit fleet and/or for other capital projects that the Director of Transportation may designate; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors urges the Board of Supervisors to approve the Supplemental Appropriation.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 5, 2019.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency