

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 170418-047

WHEREAS, The SFMTA submitted a grant application to the Metropolitan Transportation Commission (MTC) for \$4,400,000 in funding assigned to the MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA), and federal or state funding administered by the California Transportation Commission (CTC), such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein referred to as the Regional Active Transportation Program) (Regional ATP), for the Powell Street Safety Project; and

WHEREAS, The United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT), including, but not limited to the STP (23 U.S.C. § 133), CMAQ (23 U.S.C. § 149) and the TA set-aside (23 U.S.C. § 133); and

WHEREAS, State statutes, including California Streets and Highways Code Sections 182.6, 182.7, and 2381, and California Government Code 14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA); and

WHEREAS, Pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally significant project must submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, The MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and for the nine counties of the San Francisco Bay region; and

WHEREAS, The MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised), which sets out procedures governing the application and use of Regional ATP funds; and

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is an eligible sponsor for Regional ATP funding, and the Director of Transportation or his designee is authorized to submit grant applications on behalf of the SFMTA; and

WHEREAS, The SFMTA, through the Director of Transportation, or his designee, as authorized by this Board, submitted an application to MTC for \$4,400,000 in Regional ATP funding for the Powell Street Safety Project; and

WHEREAS, As part of the application process for Regional ATP funding, MTC requires the SFMTA to adopt a Resolution of Local Support, with the following assurances:

1. The SFMTA commits the necessary local match consisting of at least 11.47% of non-federal funds; and
2. The SFMTA understands that Regional ATP funding is fixed at the programmed amount, and therefore any cost increases cannot be expected to be funded with additional Regional ATP funding; and
3. That the Powell Street Safety Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. The SFMTA will complete the project as described in the application, subject to environmental clearance, including, if appropriate, any changes to the project necessary to mitigate any significant adverse environmental impacts observed during the pilot program, and, if the project is approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. The project will have adequate staffing resources to deliver and complete the project within the schedules submitted with the project applications; and
6. The project will comply with all project-specific requirements as set forth in the Regional ATP funding; and
7. For all projects funded by the FHWA and the California Transportation Commission (CTC), the SFMTA has assigned, and will maintain, a single point of contact to coordinate within the agency and with the respective Congestion Management Agency (which is the San Francisco County Transportation Authority), MTC, Caltrans, FHWA, and CTC on all communications that might arise during the federal programming and delivery process for the ATP-funded project implemented by the SFMTA; and

WHEREAS, On September 29, 2015, the Planning Department determined that Powell Street Safety Pilot Project was Categorical Exempt under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Sections 15301 and 15306; and,

WHEREAS, On March 24, 2017, the SFMTA, under authority delegated by the Planning Department, determined that a Resolution of Local Support for the Powell Street Safety Project is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; and

WHEREAS, The SFMTA will not proceed with any project until there has been complete compliance with the California Environmental Quality Act ("CEQA") and the City's Environmental Quality Regulations (San Francisco Administrative Code Section 31). If any of the projects are found to cause significant adverse impacts, the SFMTA retains 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, as identified upon environmental evaluation in compliance with CEQA and the Chapter 31, (4) reject the project as proposed if the economic and social benefits of the

project do not outweigh otherwise unavoidable significant adverse impacts of the project, or (5) approve the project upon a finding that the economic and social benefits of the project outweigh otherwise unavoidable significant adverse impacts; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors adopts a Resolution of Local Support, for the award of \$4,400,000 in Regional Active Transportation Program funds from the Metropolitan Transportation Commission for the Powell Street Safety Project, with the following assurances:

1. The SFMTA commits the necessary local match consisting of at least 11.47% of non-federal funds; and
2. The SFMTA understands that Regional ATP funding is fixed at the programmed amount, and therefore any cost increases cannot be expected to be funded with additional Regional ATP funding; and
3. That the Powell Street Safety Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. The SFMTA will complete the project as described in the application, subject to environmental clearance, including, if appropriate, any changes to the project necessary to mitigate any significant adverse environmental impacts observed during the pilot program, and, if the project is approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. The project will have adequate staffing resources to deliver and complete the project within the schedules submitted with the project applications; and
6. The project will comply with all project-specific requirements as set forth in the Regional ATP funding; and
7. For all projects funded by the FHWA and the California Transportation Commission (CTC), the SFMTA has assigned, and will maintain, a single point of contact to coordinate within the agency and with the respective Congestion Management Agency (which is the San Francisco County Transportation Authority), MTC, Caltrans, FHWA, and CTC on all communications that might arise during the federal programming and delivery process for the ATP-funded project implemented by the SFMTA; and be it further

RESOLVED, That the SFMTA Board, if the project is approved, will include the project in MTC's federal TIP upon submittal by the SFMTA for TIP programming.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 18, 2017.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency