

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 12-095

WHEREAS, The Metropolitan Transportation Commission (MTC) has conditionally awarded the San Francisco Municipal Transportation Agency (SFMTA) \$14.9 million in federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds for the Mission Mobility Maximization Project and N-Judah Mobility Maximization Projects under MTC's Transportation Sustainability Project's Transit Performance Initiative [MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (Program)]; and

WHEREAS, The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, August 10, 2005) authorized CMAQ (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA-LU has been extended through various continuing resolutions; and

WHEREAS, Pursuant to SAFETEA-LU, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal CMAQ funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

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

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

WHEREAS, SFMTA is an eligible project sponsor for CMAQ funds; and

WHEREAS, As part of the application for CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the CMAQ funding is fixed at the programmed amount, and therefore any cost increases cannot be expected to be funded with additional CMAQ funds; and
- 3) that the Projects will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) the assurance of the sponsor to complete the Projects as described in the application, and if approved, as included in MTC's TIP; and
- 5) that the Projects will comply with all the project-specific requirements as set forth in the Program; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors adopts a Resolution of Support for the Mission Mobility Maximization Project and N-Judah Mobility Maximization Project, as well as future stop consolidation and roadway modifications for both projects, under the CMAQ programs of SAFETEA-LU, any extensions of SAFETEA-LU, or any successor legislation for continued funding; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, does state that:

1. SFMTA will provide at least \$1.93 million in non-federal matching funds; and
2. SFMTA understands that the CMAQ funding for the projects is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the SFMTA from other funds, and that SFMTA does not expect any cost increases to be funded with additional CMAQ funding; and
3. SFMTA understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. The Projects will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. SFMTA and the Projects will comply with the requirements as set forth in the program; and be it

FURTHER RESOLVED, That SFMTA is an eligible sponsor of CMAQ funded projects; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors authorizes its Director of Transportation to transmit a copy of this Resolution to the MTC; and be it

FURTHER RESOLVED, That the MTC is requested to support the application for the Projects described in the Resolution and to include the Projects, if approved, in MTC's TIP; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation or his designee to provide any further information as requested by MTC to secure the receipt of \$14.9 million in CMAQ funding for these projects.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 17, 2012.

R. Bodman

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency