

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 220118-002

WHEREAS, On April 21, 2020, the SFMTA Board adopted the FY2021-25 Capital Improvement Program, which included the Transbay Terminal Mobility Hub; 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 Surface Transportation Block Grant Program (23 U.S.C. §133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. §149), and the Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding (23 U.S.C. §133); and,

WHEREAS, The SFMTA submitted an application to the Metropolitan Transportation Commission (MTC) for \$340,760 in funding assigned to 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 Block Grant Program funding, CMAQ funding, and Regional Transportation Improvement Program (RTIP/STIP) funding (herein collectively referred to as Regional Discretionary Funding), for the Transbay Terminal Mobility Hub; and,

WHEREAS, As a condition of grant funding, MTC requires a Resolution of Local Support from the SFMTA for a grant of \$340,760 for the Transbay Terminal Mobility Hub; and,

WHEREAS, State statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the metropolitan planning organization (MPO) and the 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 shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal TIP; and,

WHEREAS, MTC is the MPO and RTPA 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 Quick-Strike funding; and,

WHEREAS, The SFMTA is an eligible sponsor for Regional Discretionary Funding; and,

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

- the commitment of any required matching funds; and
- that the sponsor understands that Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- that the Project and Program will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the Project and Program as described in their applications, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the Project and Program will have adequate staffing resources to deliver and complete the Project and Program within the schedule submitted with the project application; and
- that the Project and Program will comply with all project-specific requirements as set forth in the respective Regional Discretionary Funding programs; and
- that the SFMTA has assigned, and will maintain a single point of contact for all FHWA- and California Transportation Commission (CTC)-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), the MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the SFMTA; and
- in the case of a transit project, the Project and Program will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and,

WHEREAS, The SFMTA is authorized to submit applications for the Project and the Program; and,

WHEREAS, The SFMTA has authorized its Director of Transportation, or designee, to execute and file applications with MTC for Regional Discretionary Funding for the Project and the Program as referenced in this resolution; and,

WHEREAS, The MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application; and,

WHEREAS, The SFMTA is working with Caltrans on behalf of the FHWA on a separate National Environmental Policy Act (NEPA) document to satisfy federal environmental review requirements for the Transbay Terminal Mobility Hub; and,

WHEREAS, On December 15, 2021, under authority delegated by the Planning Department, the SFMTA determined that the Resolution of Support for Transbay Terminal Mobility Hub 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,

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, If the Transbay Terminal Mobility Hub Project funded by CMAQ is 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, as required by the Metropolitan Transportation Commission (MTC), with the following stipulations:

- the SFMTA will provide any required matching funds for the project; and
- the SFMTA understands that the Regional Discretionary Funding for the Project and the Program will be fixed at the MTC-approved programmed amount, and that any cost increases must be funded by the SFMTA from other funds, and that the SFMTA does not expect any cost increases to be funded with additional Regional Discretionary Funding; and
- the 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, revised); and
- the SFMTA has, and will retain, the expertise, knowledge and resources necessary to deliver federally funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the Agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the SFMTA;
- the SFMTA will complete the Project and Program as described in its application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- the Project and Program will comply with all project-specific requirements as set forth in the respective Regional Discretionary Funding programs; and
- the Project and Program will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and be it further

RESOLVED, That in the case of a Regional Transportation Improvement Program (RTIP) project, the Project and the Program are included in a local congestion management plan, or are consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED, That a copy of this resolution will be transmitted to the MTC.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 18, 2022.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency