

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 15-048

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$10,277,540 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 Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as Regional Discretionary Funding) for the light rail vehicle (LRV) procurement project (herein referred to as Project) for the One Bay Area Grant program (herein referred to as Program); and

WHEREAS, The Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs, including, but not limited to, the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); 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 MAP-21, 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 Transportation Improvement Program (TIP); and

WHEREAS, The MTC is the MPO and RTPA 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) that sets out procedures governing the application and use of Regional Discretionary 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 SFMTA understands that the 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 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 as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- That the Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and
- That the Project will comply with all project-specific requirements as set forth in the Program; and
- That the SFMTA 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 Applicant; and
- In the case of a transit project, the Project 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 Department of City Planning of the City and County of San Francisco has determined that the replacement and expansion vehicle portions of the Project are statutorily exempt under Section 21080(b)(11) of the California Resources Code and Section 15275(a) of the implementing CEQA Guidelines because those portions of the Project involve an increase of service on rail lines already in use; and

WHEREAS, The LRVs for the Central Subway Project were reviewed as part of the Central Subway Final Supplemental EIS/EIR, certified by the Planning Commission on August 7, 2008, and on August 19, 2008, the SFMTA Board of Directors, in Resolution No. 08-150, adopted the findings and conclusions with respect to Central Subway Final Supplemental EIS/EIR. On July 15, 2014, the SFMTA Board of Directors adopted Resolution No. 14-12 to approve the agreement to procure the LRVs. At that time, based on its review of the Final

Supplemental EIS/EIR, the SFMTA Board found that no additional environmental review was required under Public Resources Code section 21166; and

WHEREAS, The SFMTA Board of Directors has authorized its Director of Transportation or his designee to execute and file an application with MTC for Regional Discretionary Funding for the Project 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; now therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation, or his designee, to accept and expend up to \$10,277,540 in funding from the One Bay Area Grant Program through the Metropolitan Transportation Commission for SFMTA's Light Rail Vehicle (LRV) procurement project; and be it further

RESOLVED, That the SFMTA Board of Directors authorizes its Director of Transportation, or his designee, to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that the SFMTA will provide any required matching funds; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that the SFMTA understands that the Regional Discretionary Funding for the project is 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 be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, 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 Applicant; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that the Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that the SFMTA has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that the Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that in the case of a transit project, the SFMTA agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED, That a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED, That the MTC is requested to support the application for the Project described in the resolution, and if approved, to include the Project in MTC's federal TIP upon submittal by the project sponsor 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 March 17, 2015.

Secretary, Board of Directors
San Francisco Municipal Transportation Agency