

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 211019-120

WHEREAS, The Fixing America's Surface Transportation Act (Public Law 114-94), and any extensions or successor legislation for continued funding (collectively FAST), authorizes various federal funding programs administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC), including, but not limited to, Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ), and/or Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP), Regional Transportation Improvement Program (RTIP), and State Transportation Improvement Program (STIP) funding, which contain State discretionary STP and other funds, herein collectively referred to as "Regional Discretionary Funds;" and

WHEREAS, State statutes, including California Streets and Highways Code Sections 182.6 and 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

WHEREAS, Pursuant to FAST, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project must submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, The Metropolitan Transportation Commission (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 RTIP and STIP funds; and

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is an eligible sponsor for STIP funding, and STP federal funds and other funds programmed within the STIP; and

WHEREAS, The SFMTA will submit an application to the MTC for \$10,642,000 in STIP funding, which will include STP federal and other funds, for the Phase 3 (N-Judah) segment of the SFMTA's Train Control Upgrade Program (TCUP); and

WHEREAS, On September 30, 2021, the SFMTA, under authority delegated by the San Francisco Planning Department, determined that the Resolution of Support for STIP Programming for the Phase 3 (N-Judah) segment of the SFMTA's Train Control Upgrade Program (TCUP) 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, The SFMTA will not proceed with any project funded by the STIP programmed funding until there has been complete compliance with 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; and

WHEREAS, As part of the application process for STIP funding, MTC requires a resolution adopted by the responsible implementing agency stating that: (1) the SFMTA will provide any required matching funds; (2) any cost increases must be funded by the SFMTA, in accordance with agreements between the SFMTA and the San Francisco County Transportation Authority, and that the SFMTA does not expect any cost increases to be funded with additional regional discretionary funds; (3) the Projects will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); (4) the SFMTA agrees to complete the Projects as described in the application, subject to CEQA compliance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); (5) the SFMTA will provide adequate staffing resources to deliver and complete the Projects within the agreed schedule; (6) the SFMTA will comply with all Project-specific requirements as set forth in the STIP; (7) the SFMTA will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of the MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and (8) the Project will be included in a local congestion agency management plan, as required by State law, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and now, therefore, be it

RESOLVED, That the SFMTA Board of Directors adopts a Resolution of Support for the programming of State Transportation Improvement Program (STIP) funds in the amount of \$10,642,000 for the Phase 3 (N-Judah) segment of the SFMTA's Train Control Upgrade Program in Fiscal Year 2025/26; and be it further

RESOLVED, That the SFMTA Board of Directors, by adopting this Resolution, states that (1) the SFMTA will provide any required matching funds; (2) any cost increases will be funded by the SFMTA, in accordance with agreements between the SFMTA and the San Francisco County Transportation Authority, and that the SFMTA does not expect any cost increases to be funded with additional regional discretionary funds; (3) the Projects will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); (4) subject to compliance with the California Environmental Quality Act, the SFMTA agrees to complete the Projects as described in the application, and if approved, as included in MTC's federal Transportation Improvement Program;

(5) the SFMTA will provide adequate staffing resources to deliver and complete the Projects within the agreed schedule; (6) the SFMTA will comply with all Project-specific requirements as set forth in the STIP; (7) the SFMTA will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of the MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and (8) the Project will be included in a local congestion agency management plan, as required by State Law, or be 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 in support of the Project.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 19, 2021.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency