

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 210518-069

WHEREAS, On April 21, 2020, the SFMTA Board adopted the FY2021-25 Capital Improvement Program, which included the Folsom Streetscape Project and the Safe Routes to School Program; and,

WHEREAS, The San Francisco County Transportation Authority (SFCTA) has submitted applications on the SFMTA's behalf and is recommending Metropolitan Transportation Commission (MTC) approval of Quick-Strike funding of \$5,000,000 for the Folsom Streetscape Project (Project) and \$2,100,000 for Safe Routes to School Program (Program); and,

WHEREAS, The SFMTA anticipates that the MTC will approve \$7,040,000 in Active Transportation Program (ATP) funding for the Folsom Streetscape Project; and,

WHEREAS, The SFMTA anticipates that the SFCTA will recommend that the MTC approve \$3,043,000 in Mid-Cycle 2021 STIP CRRSAA funding for the Folsom Streetscape 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 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 (or the SFCTA on the SFMTA's behalf) will be submitting applications to the MTC totaling \$17,183,000 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, TA) set-aside/ATP funding, and Regional Transportation Improvement Program (RTIP/STIP) funding (herein collectively referred to as Regional Discretionary Funding), for the Folsom Streetscape Project (Project) and Safe Routes to School Program (Program); and,

WHEREAS, The MTC is seeking a Resolution of Local Support from the SFMTA for up to \$15,083,000 total for the Folsom Streetscape Project and up to \$2,100,000 for the Safe Routes to School Program in Regional Discretionary Funding; 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 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 Quick-Strike funding; and,

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

WHEREAS, As part of the applications for Regional Discretionary Funding, the 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, That the SFMTA (or the SFCTA on the SFMTA's behalf) is authorized to submit applications for the Project and the Program; and,

WHEREAS, As stated in the Opinion of Counsel submitted with this Resolution, there is no legal impediment to the SFMTA making applications for the funds and there is no pending or threatened litigation that might in any way adversely affect the proposed Project and the Program, or the ability of the SFMTA to deliver 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, On May 10, 2018, the San Francisco Planning Commission in Motion 20182 certified the Central SoMa Plan Final Environmental Impact Report (Central SoMa FEIR) and in Motion 20183, adopted findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code (CEQA Findings), including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program (MMRP); and,

WHEREAS, On April 12, 2019, the Planning Department determined that the Folsom-Howard Streetscape Project (Planning Case No. 2011.1356E), of which the Folsom Streetscape Project is a part, is within the scope of the Central SoMa Plan EIR; no new significant effects were identified, there was no substantial increase in significant effects already identified, and no new mitigation was required for the project; on June 18, 2019, as part of the approval of the Folsom-Howard Streetscape Project, the SFMTA Board of Directors adopted the Central SoMa CEQA findings as its own, including the mitigation measures applicable to the Folsom-Howard Streetscape Project (M-TR-4: Upgrade Central SoMa Area Crosswalks; M-ALT-TR-2: Upgrade Additional Central SoMa Area Crosswalks; Mitigation Measure M-TR-9: Construction Management Plan and Construction Coordination; M-NO-2a: General Construction Noise Control Measures; M-AQ-6b: Construction Emissions Minimization Plan); 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 Folsom Streetscape Project; and,

WHEREAS, On April 6, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the Safe Routes to School Program is not a “project” under CEQA pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, a copy of the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at <https://sfplanning.org/> and 49 South Van Ness Avenue, Suite 1400 in San Francisco, and are incorporated herein by reference; therefore, now be it

RESOLVED, That the SFMTA Board of Directors has reviewed and considered the Central SoMa Plan Final Environmental Impact Report and the record as a whole, including the Planning Department’s April 12, 2019 determination, and finds that the Central SoMa Plan FEIR

is adequate for the Board's use as the decision-making body for the actions taken herein; and, be it further

RESOLVED, That the SFMTA Board of Directors further finds that since the Central SoMa Plan FEIR was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the Central SoMa Plan FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Central SoMa Plan FEIR; and, be it further

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; 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 applications, 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 in conjunction with the filing of the applications; and be it further

RESOLVED, That the MTC is requested to support the applications for the Project and the Program described in the resolution, and if approved, to include the Project and the Program in MTC's federal Transportation Improvement Program (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 May 18, 2021.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency