

THIS PRINT COVERS CALENDAR ITEM NO.: 10.4

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Finance and Information Technology

BRIEF DESCRIPTION:

Adopting a Resolution of Local Support as required by the Metropolitan Transportation Commission (MTC) that stipulates how the SFMTA will comply with MTC's policies if the SFMTA receives up to \$17,183,000 of various discretionary funds for the Folsom Streetscape Project and the Safe Routes to School Program.

SUMMARY:

- On April 21, 2020, the SFMTA Board adopted the FY2021-25 Capital Improvement Program (CIP), which included the Folsom Streetscape Project and the Safe Routes to School Program.
- Subsequent to the CIP adoption, the SFMTA is seeking \$17,183,000 of discretionary funds for these projects from multiple grant sources.
- The SFMTA is required by the MTC to adopt and submit a resolution of local support for any of these funds, subject to approval by the MTC.

ENCLOSURES:

1. SFMTAB Resolution
2. Central South of Market (SoMa) Area Plan Final Environmental Impact Report:
https://sfplanning.org/environmental-reviewdocuments?field_environmental_review_catg_target_id=214
3. Central SoMa Plan CEQA Findings and MMRP:
http://default.sfplanning.org/Citywide/Central_Corridor/central_soma_signed_resolution_201_83_CEQA_Findings.pdf

APPROVALS:

DIRECTOR  _____

SECRETARY  _____

DATE

May 10, 2021

May 10, 2021

ASSIGNED SFMTAB CALENDAR DATE: May 18, 2021

PAGE 2.

PURPOSE

Adopting a Resolution of Local Support as required by the Metropolitan Transportation Commission (MTC) that stipulates how the SFMTA will comply with MTC's policies if the SFMTA receives up to \$17,183,000 of various discretionary funds for the Folsom Streetscape Project and the Safe Routes to School Program.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

This item will support the following SFMTA Strategic Plan Goals and Objectives:

Goal 1: Create a safer transportation experience for everyone

Objective 1.1: Achieve Vision Zero by eliminating all traffic deaths.

Goal 2: Make transit and other sustainable modes of transportation the most attractive and preferred means of travel.

Objective 2.2: Enhance and expand use of the city's sustainable modes of transportation.

Goal 3: Improve the quality of life and environment in San Francisco and the region.

Objective 3.1: Use agency programs and policies to advance San Francisco's commitment to equity.

Objective 3.2: Advance policies and decisions in support of sustainable transportation and land use principles.

This item will support the following Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.
3. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.
4. Transit-priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools) and to improve pedestrian safety.
5. Pedestrian areas shall be enhanced wherever possible to improve the safety and comfort of pedestrians and to encourage travel by foot.

PAGE 3.

6. Bicycling shall be promoted by encouraging safe streets for riding, convenient access to transit, bicycle lanes, and secure bicycle parking.

DESCRIPTION

Background:

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. The Folsom Streetscape Project and Safe Routes to School Program are consistent with the SFMTA Board's intent to realize the City of San Francisco's Vision Zero policy of eliminating deaths from traffic collisions. The projects and grant programs identified to fund them are described below.

Projects:

The Folsom Streetscape Project will transform Folsom Street between 2nd and 11th Streets into a complete street, including an innovative two-way fully protected bikeway with protected intersections for bicyclists along the entire length of this corridor. The project also includes a transit-only lane and safety for pedestrians, including civic amenity zones, which are pedestrian spaces with customized pavers, historic plaques, district street signs, and gateway elements celebrating the diverse communities centered along Folsom Street. The project closes transportation gaps and ensures that existing residents and disadvantaged communities that rely on walking, biking, and transit are not disenfranchised in terms of transportation. This project ensures that walking, bicycling and transit remain safe, can operate efficiently, and are prioritized over vehicular traffic. Much of the project area is located in an MTC-defined Community of Concern. This project will give disadvantaged community residents in SoMa more access to transit and comfortable space to engage in bicycling and walking.

The Safe Routes to School Program (non-infrastructure), led by the SFMTA in partnership with the San Francisco Unified School District and the San Francisco Department of Environment, will support the safe, easy, and convenient transportation of children to San Francisco schools through education and outreach. This is a citywide program that will continue to support targeted outreach to a subset of schools located in Communities of Concern. The program is anticipated to run from September 2021 through November 2022.

Discretionary Funding Sources:

The **Active Transportation Program (ATP)** is a highly competitive statewide program created to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) created the ATP, and Senate Bill 1 (SB 1) (Chapter 2031, statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation

PAGE 4.

Account to the ATP. Funds are programmed both by the State and the MTC. The SFMTA would access these funds from the Federal Highway Administration (FHWA) through Caltrans. As of April 14, 2021, MTC’s Programming and Allocations Committee is recommending \$7,040,000 for the Folsom Streetscape Project.

The **Safe and Seamless Mobility Quick-Strike** program is a one-time, competitive grant program within the MTC’s long-standing One Bay Area Grant (OBAG) program framework. The MTC has identified residual federal funding that will be awarded to projects that can spend these funds quickly to benefit communities responding and adapting to the COVID-19 environment. The SFMTA would access these funds from FHWA through Caltrans. The SFCTA has recommended that the MTC approve Quick-Strike funding of \$5,000,000 for the Folsom Streetscape program and \$2,100,000 for the Safe Routes to School non-infrastructure program.

Mid-Cycle 2021 STIP CRRSAA: The \$900 billion Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) includes significant funding for transit, street, and highway programs. One outcome of CRRSAA is that the San Francisco County Transportation Authority (SFCTA) has an additional \$3.4 million of “Mid-Cycle 2021 STIP CRRSAA” funding to program to transportation projects. Of this, based on deferred STIP commitments to the Central Subway, the SFCTA will recommend to the MTC that \$3,043,000 of these funds be programmed to the Folsom Streetscape project. The SFMTA would access these funds from FHWA through Caltrans. The SFCTA is expected to act on this funding action in May 2021.

Grant Request by Project

	Folsom Streetscape	Safe Routes to School	Total
Active Transportation Program (ATP)	\$7,040,000		\$7,040,000
Quick-Strike	\$5,000,000	\$2,100,000	\$7,100,000
Mid-Cycle STIP 2021 CRRSAA	\$3,043,000		\$3,043,000
Total	\$15,083,000	\$2,100,000	\$17,183,000

As part of the fund application process, the MTC requires that the SFMTA Board of Directors approve a resolution of local support for ATP, Quick-Strike, and Mid-Cycle 2021 STIP CRRSAA funds, acknowledging the following conditions:

1. That any cost increases must be funded by the SFMTA;
2. That the projects receiving funds will comply with the procedures, delivery milestones, and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised);

PAGE 5.

3. That the SFMTA will complete the Folsom Streetscape Project and carry out the Safe Routes to School Program as described in the application, subject to environmental clearance, and, if approved, as included in MTC's federal Transportation Improvement Program (TIP);
4. That the projects receiving funds will have adequate staffing resources to deliver and complete them within the schedule submitted with the project application;
5. That the Folsom Streetscape Project and Safe Routes to School Program will comply with all project-specific requirements set forth in the respective funding programs.

STAKEHOLDER ENGAGEMENT

The SFMTA's biennial budget process includes review and approval of the Capital Improvement Program (CIP). The current CIP for FY 2021-2025 was adopted at an SFMTA Board Meeting in April 2020. Community outreach and engagement for the CIP included the following: outreach meetings to community and citizen's groups were held to effectively engage stakeholders in understanding and providing feedback on the CIP.

ALTERNATIVES CONSIDERED

The SFMTA would be ineligible to receive allocations of funds programmed by MTC should this Board decline to approve a Resolution of Local Support. In the event that the SFMTA chooses not to accept these funds, the SFMTA would have to identify another \$17,183,000 of funding for these projects.

FUNDING IMPACT

ATP, Quick-Strike, and Mid-Cycle 2021 STIP CRRSAA provide one-time revenue sources for which transportation projects are eligible. Receipt of these competitive funds allows the SFMTA to solidify funding plans for these two projects and reduces the risk of having to take funds from other capital projects.

These funds, however, are contingent on various approvals described below.

ENVIRONMENTAL REVIEW

Folsom Streetscape Project

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).

PAGE 6.

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).

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.

Safe Routes to School Program

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).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney's Office has reviewed this calendar item and has provided an Opinion of Counsel to the MTC stating that the SFMTA is an eligible recipient of MTC's various funds, and that there are no legal impediments to the SFMTA's applying for these funds, and that there is no pending or threatened litigation that would prevent the SFMTA to undertake projects funded by the various funds.

On March 23, 2021, the SFCTA recommended to the MTC that the Folsom Streetscape Project receive \$5,000,000 and Safe Routes to School Program receive up to \$2,100,000 FHWA funding through the Quick-Strike program.

On April 28, 2021, the MTC approved Active Transportation Program (ATP) Cycle 5 funding for the Folsom Streetscape Project in the amount of \$7,040,000, as recommended by its Programming and Allocations Committee on April 14, 2021.

On May 25, 2021 the SFCTA will consider recommending to the MTC that the Folsom Streetscape Project receive \$3,043,000 of Mid-Cycle STIP 2021 CRRSAA funding.

PAGE 7.

RECOMMENDATION

Staff recommends adopting a Resolution of Local Support as required by the MTC that stipulates how the SFMTA will comply with MTC's policies if the SFMTA receives up to \$17,183,000 of various discretionary funds for the Folsom Streetscape Project and the Safe Routes to School Program.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

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