

1 [Accept and Expend Grant - United States Department of Transportation - Rebuilding
2 American Infrastructure with Sustainability and Equity Program - \$20,000,000]

3 **Resolution authorizing San Francisco Public Works to accept and expend a**
4 **\$20,000,000 grant award from the Rebuilding American Infrastructure with**
5 **Sustainability and Equity (RAISE) Program of the United States Department of**
6 **Transportation to fund the Bayview Connections: Phase 1 Harney Way Bus Rapid**
7 **Transit (BRT) and Cycletrack Project, which includes transit and active transportation**
8 **improvements such as roadway widening, dedicated Bus Rapid Transit lanes,**
9 **protected cycle tracks, and pedestrian infrastructure; approving the grant agreement**
10 **pursuant to Charter, Section 9.118(a); effective upon approval of this Resolution**
11 **through December 31, 3031; and affirming the Planning Department’s determination**
12 **under the California Environmental Quality Act.**

13
14 WHEREAS, The Bipartisan Infrastructure Law, enacted as the Infrastructure
15 Investment and Jobs Act, Pub. L. No. 117–58, 135 Stat. 429, appropriates significant funding
16 for infrastructure projects, including the Rebuilding American Infrastructure with Sustainability
17 and Equity (“RAISE”) Grant Program, which supports investments in surface transportation
18 projects that have a significant local or regional impact, with an emphasis on sustainability,
19 equity, and economic development; and

20 WHEREAS, On December 14, 2022, the United States Department of Transportation’s
21 Federal Highway Administration (“FHWA”) released a Notice of Funding Opportunity for the
22 Fiscal Year 2023 RAISE Discretionary Grant Program; and

23 WHEREAS, On February 27, 2023, the San Francisco Public Works (“Public Works”)
24 submitted an application for the Bayview Connections: Phase 1 Harney Way BRT and
25 Cycletrack project (the “Bayview Connections Project”), which aims to deliver critical

1 transportation and community improvements, including bus rapid transit (“BRT”) lanes,
2 protected cycle tracks, and pedestrian infrastructure as part of the Candlestick Point and
3 Hunters Point Shipyard Phase 2 (“CP/HPS2”) project (“CP/HPS2 Project”); and

4 WHEREAS, On June 28, 2023, the United States Department of Transportation notified
5 the City that the Public Works’ application for the Bayview Connections Project had been
6 awarded \$20,000,000 under the RAISE Grant Program to fund the Bayview Connections
7 Project (“RAISE Grant”); and

8 WHEREAS, The public improvements that will be constructed through the Bayview
9 Connections Project align with the City and County of San Francisco’s goals for reducing
10 greenhouse gas emissions, promoting equitable transportation access, and advancing
11 regional connectivity; and

12 WHEREAS, The award of the RAISE Grant to the City establishes a direct partnership
13 between the City and the FHWA, ensuring streamlined coordination and compliance with
14 federal requirements for the Bayview Connections Project; and

15 WHEREAS, The Bayview Connections Project is incorporated into the Candlestick
16 Point and Hunters Point Shipyard Phase 2 (“CP/HPS2”) Transportation Plan and Design-for-
17 Development that was last approved by the Commission on Community Investment and
18 Infrastructure (“CCII”) on October 15, 2019, by Resolution No. 27-2019; and

19 WHEREAS, On June 3, 2010, the Planning Commission and Former Redevelopment
20 Agency acting as lead agencies under the California Environmental Quality Act (“CEQA”)
21 (California Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (14
22 California Code of Regulations Sections 15000 et seq.), certified a Final Environmental Impact
23 Report (hereinafter “FEIR”) for the CP/HPS2 project by Motion No. 18096 and Resolution No.
24 58-2010, respectively; and at the same hearing the Former Redevelopment Agency and the
25 Planning Commission also adopted findings pursuant to the California Environmental Quality

1 Act, including a Mitigation Monitoring and Reporting Program (“MMRP”) and a Statement of
2 Overriding Considerations for the Project by Motion No. 18097 and Resolution No. 59-2010,
3 respectively; and on July 14, 2010, the San Francisco Board of Supervisors affirmed the
4 Planning Commission’s certification of the FEIR (Motion No. M10-110); and

5 WHEREAS, Since the certification of the FEIR, the Office of Community Investment
6 and Infrastructure (“OCII”), in consultation with the Planning Department, has issued seven
7 addenda to the FEIR to address project changes, including, most recently, Addendum No. 7,
8 which evaluates the potential environmental effects of the CP/HPS2 Project and recommends
9 modifications to six adopted mitigation measures for reasons set out in Addendum No. 7; and
10 based on the analysis in Addendum No. 7, OCII concluded that the analyses conducted, and
11 the conclusions reached in the FEIR on June 3, 2010, remain valid and the proposed
12 CP/HPS2 Project, including the proposed amendments to the mitigation measures, will not
13 cause new significant impacts not identified in the FEIR, or substantially increase the severity
14 of previously identified significant impacts; and

15 WHEREAS, According to Addendum No. 7, no CP/HPS2 Project changes have
16 occurred, and no changes have occurred with respect to circumstances surrounding the
17 proposed CP/HPS2 Project, that will require major revisions of the FEIR due to involvement of
18 new significant effects or a substantial increase in the severity of previously identified
19 significant effects, and no new information has become available that shows that the Project
20 will cause new or more severe significant environmental impacts; therefore, Addendum No. 7
21 concludes that no subsequent or supplemental environmental review is required under CEQA
22 beyond Addendum No. 7 to approve the Project; and

23 WHEREAS, On September 3, 2024, the Commission on Community Investment and
24 Infrastructure adopted CCII Resolution No. 22-2024, by which the Commission on Community
25 Investment and Infrastructure determined that the analysis conducted and the conclusions

1 reached in the FEIR as to the environmental effects of the Project, together with further
2 analysis provided in Addendum No. 1, Addendum No. 4 , Addendum No. 5, Addendum No. 6,
3 and Addendum No. 7 to the FEIR, remain valid and can be relied upon for approval of the
4 Project in compliance with the CEQA; and

5 WHEREAS, On September 12, 2024, having reviewed and considered the CEQA
6 findings including the statement of overriding considerations that it previously adopted in the
7 Planning Commission adopted Motion No. 18097, the findings in Addendum No. 7, and the
8 findings in CCII Resolution No. 22-2024, the Planning Commission adopted Motion No. 21067
9 and found that the actions contemplated by Motion No. 21607 are included in the actions
10 identified in CCII Resolution 22-2024 for purposes of compliance with CEQA; and the
11 Planning Commission, in Motion No. 21607, adopted the additional CEQA findings in CCII
12 Resolution 22-2024 as its own, including approving the modifications to the six adopted
13 mitigation measures recommended for modification in Addendum No. 7; said Motion No.
14 21607, including the CEQA findings therein, which were not submitted with this Resolution
15 and these items will be submitted for inclusion in the Board File; and

16 WHEREAS, Administrative Code, Section 2.6-3, requires the Budget Analyst to review
17 legislation and report on matters that are deemed to have fiscal impact; and

18 WHEREAS, OCII shall reimburse any indirect costs incurred by the City in relation to
19 the RAISE Grant; and

20 WHEREAS, On January 7, 2025, the Director of Public Works issued Order No 211321
21 (the "Order") recommending that the Board of Supervisors approve the acceptance of the
22 Project, make the certifications required by the U.S. Department of Transportation as a
23 condition of awarding the grant, and authorize the Department of Public Works to enter into
24 the Grant Agreement on behalf of the City and to authorize the Department and the Clerk of
25 the Board to take further actions as may be deemed necessary by the Grantor before the City

1 may accept and expend the grant funds for the Project as set forth in the legislative package;
2 said Order is on file with the Clerk of the Board of Supervisors in File No. 250035 and is
3 incorporated herein by reference; now, therefore, be it

4 RESOLVED, Due to incomplete documentation in the Accept and Expend submission,
5 the lack of a fiscal impact determination, as required by Administrative Code, Section 2.6-3,
6 and possible fiscal impact report, the funds accepted for this grant shall be placed into the
7 Board of Supervisors' reserve until released; and, be it

8 FURTHER RESOLVED, That Board of Supervisors finds that the approval of the
9 actions contemplated by this resolution are included in the actions identified in CCII
10 Resolution No. 22-2024 for purposes of compliance with CEQA, and the Board of Supervisors
11 hereby adopts the additional CEQA Findings in CCII Resolution No. 22-2024 as its own,
12 including approving the modifications to the adopted mitigation measures recommended for
13 modification in Addendum No. 7; and be it

14 FURTHER RESOLVED, That the Board of Supervisors, pursuant to Charter, Section
15 9.118(a), hereby approves the Grant Agreement with the United States Department of
16 Transportation in an amount of \$20,000,000, and authorizes the Director of Public Works or
17 the Director's designee to execute all required documents; and, be it

18 FURTHER RESOLVED, Once all outstanding documents have been submitted and the
19 fiscal impact requirements of Administrative Code, Section 2.6-3, have been resolved, the
20 Board of Supervisors delegates their authority to release these funds to the Budget and
21 Finance Committee and the Clerk of the Board is directed to schedule a hearing at the Budget
22 and Finance Committee to duly review the submitted documents and consider the release of
23 the funds to the Department of the Environment; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Director
25 of Public Works, or the Director's designee, to conduct negotiations and to execute and

1 submit all documents that may be necessary for the completion of the Project, including but
2 not limited to applications, agreements, amendments, and payment requests; and be it

3 FURTHER RESOLVED, That the Director of Public Works or the Director’s designee is
4 authorized to execute all required documents, including the Grant Agreement with the FHWA,
5 and to take further actions in accordance with federal requirements; and be it

6 FURTHER RESOLVED, The Board of Supervisors hereby waives inclusion of indirect
7 costs in the grant budget; and

8 FURTHER RESOLVED, That San Francisco Public Works shall be hereby authorized
9 to expend the grant award of \$20,000,000 upon the release of funds from the Board of
10 Supervisors’ Reserve; and, be it

11 FURTHER RESOLVED, The Board of Supervisors certifies that Public Works will
12 maximize the use of available grant funds on program expenditures by adhering to the indirect
13 cost principles outlined in 2 CFR § 200.414; and be it

14 FURTHER RESOLVED, That the Director of Public Works or the Director’s designee is
15 authorized to execute all required documents, including the Grant Agreement with the United
16 States Department of Transportation for the RAISE Grant, and to take further actions in
17 accordance with federal requirements; and be it

18 FURTHER RESOLVED, That within 30 days of the Grant Agreement being executed
19 by all parties, Public Works shall provide the final agreement to the Clerk of the Board for
20 inclusion in File No. 250035.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED:

By: /S/_____

Benjamin McCloskey,
Interim Mayor's Budget Director

RECOMMENDED:

/S/_____

CARLA SHORT, Director
San Francisco Public Works

APPROVED:

/s/Jocelyn Quintos for Greg Wagner

GREG WAGNER, Controller