

1 [Apply for, Accept, and Expend Grant - Metropolitan Transportation Commission -
2 OneBayArea Grant - \$19,346,000]

3 **Resolution authorizing the filing of an application for funding assigned to the**
4 **Metropolitan Transportation Commission (MTC); committing any necessary matching**
5 **funds; stating assurance to complete the projects; and authorizing Public Works to**
6 **accept and expend \$19,346,000 in OneBayArea Grant funds awarded through the MTC.**

7
8 WHEREAS, San Francisco Public Works (herein referred to as APPLICANT) is
9 submitting an application to the Metropolitan Transportation Commission (MTC) for
10 \$19,346,000 in funding assigned to MTC for programming discretion, including but not limited
11 to federal funding administered by the Federal Highway Administration (FHWA) such as
12 Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality
13 Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein
14 collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the

- 15 1. John Yehall Chin Elementary Safe Routes to School Project;
- 16 2. Better Market Street;

17 (herein referred to as PROJECTS) for the OneBayArea Grant Program (herein referred
18 to as PROGRAM); and

19 WHEREAS, The United States Congress from time to time enacts and amends
20 legislation to provide funding for various transportation needs and programs (collectively the
21 FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation
22 Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality
23 Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives
24 Program (TA) (23 U.S.C. § 213); and
25

1 Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives
2 Program (TA) (23 U.S.C. § 213); and

3 WHEREAS, State statutes, including California Streets and Highways Code §182.6,
4 §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding
5 programs for the programming discretion of the Metropolitan Planning Organization (MPO)
6 and the Regional Transportation Planning Agency (RTPA); and

7 WHEREAS, Pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations
8 promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for
9 a regionally-significant project shall submit an application first with the appropriate MPO, or
10 RTPA, as applicable, for review and inclusion in the federal Transportation Improvement
11 Program (TIP); and

12 WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay
13 region; and

14 WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC
15 Resolution No. 3606, revised) that sets out procedures governing the application and use of
16 REGIONAL DISCRETIONARY FUNDING; and

17 WHEREAS, MTC Resolution No. 4202 established the OneBayArea Grant Program as
18 the MTC's framework for programming federal surface transportation funds, which delegated
19 program management and project selection to the county congestion management agencies
20 (CMA) for PROGRAM projects for Transit Expansion, Reliability, and Access Improvements,
21 Smart System Management, Transportation Demand Management, Safety and Streetscape
22 Improvements, Safe Routes to School, and Priority Development Area Planning and
23 Implementation; and

24 WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY
25 FUNDING; and

1 WHEREAS, The San Francisco County Transportation Agency (SFCTA), which is the
2 CMA for San Francisco County, solicited applications for \$40,489,000 in federal funds under
3 the PROGRAM; and

4 WHEREAS, The APPLICANT has applied to the SFCTA and received approval for two
5 projects to receive \$19,346,000 in federal funds under the PROGRAM:

- 6 1. John Yehall Chin Elementary Safe Routes to School Project (\$3,366,000);
- 7 2. Better Market Street (\$15,980,000); and

8 WHEREAS, Each of the projects require a local match, which APPLICANT plans to
9 program as follows:

- 10 1. John Yehall Chin Elementary Safe Routes to School Project (\$436,000 in
11 Proposition K Sales Tax Funds);
- 12 2. Better Market Street (\$18,841,000 in Proposition A Transportation Bond Funds);
13 and

14 WHEREAS, As part of the application for REGIONAL DISCRETIONARY FUNDING,
15 MTC requires a resolution adopted by the responsible implementing agency stating the
16 following:

- 17 1. the commitment of any required matching funds;
- 18 2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is
19 fixed at the programmed amount, and therefore any cost increase cannot be
20 expected to be funded with additional REGIONAL DISCRETIONARY FUNDING;
- 21 3. that the PROJECTS will comply with the procedures, delivery milestones, and
22 funding deadlines specified in the Regional Project Funding Delivery Policy (MTC
23 Resolution No. 3606, revised);

- 1 4. the assurance of the sponsor to complete the PROJECTS as described in the
2 application, subject to environmental clearance, and if approved, as included in
3 MTC's federal Transportation Improvement Program (TIP);
- 4 5. that the PROJECTS will have adequate staffing resources to deliver and complete
5 the PROEJCTS within the schedule submitted with the project application;
- 6 6. that the PROJECTS will comply with all project-specific requirements as set forth in
7 the PROGRAM;
- 8 7. that APPLICANT has assigned and will maintain a single point of contact for all
9 FHWA and California Transportation Commission (CTC) funded transportation
10 projects to coordinate within the agency and with the respective Congestion
11 Management Agency (CMA), MTC, California Department of Transportation
12 (Caltrans), FHWA, and CTC on all communications, inquiries, or issues that may
13 arise during the federal programming and delivery process for all FHWA and CTC
14 funded transportation and transit projects implemented by APPLICANT;
- 15 8. in the case of transit projects, the PROJECTS will comply with MTC Resolution No.
16 3866, revised, which sets forth the requirements of MTC's Transit Coordination
17 Implementation Plan to more efficiently deliver transit projects in the region; and
- 18 9. in the case of RTIP projects, state law requires PROJECTS be included in a local
19 congestion management plan, or be consistent with the capital improvement
20 program adopted pursuant to MTC's funding agreement with the countywide
21 transportation agency; and

22 WHEREAS, That APPLICANT is authorized to submit an application for REGIONAL
23 DISCRETIONARY FUNDING for the PROJECTS; and

24 WHEREAS, There is no legal impediment to APPLICANT making applications for the
25 funds; and

1 WHEREAS, There is no pending or threatened litigation that might in any way
2 adversely affect the proposed PROJECTS, or the ability of APPLICANT to deliver such
3 PROJECT; and

4 WHEREAS, The Director of Public Works or his or her designee is authorized to
5 execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the
6 PROJECTS as referenced in this Resolution; and

7 WHEREAS, MTC requires that a copy of this Resolution be transmitted to the MTC in
8 conjunction with the filing of the application; and

9 WHEREAS, The grants do not require an ASO amendment; and

10 WHEREAS, The grant budgets include indirect costs totaling \$22,915,402; now,
11 therefore, be it

12 RESOLVED, That the APPLICANT is authorized to execute and file an application for
13 funding for the PROJECTS for REGIONAL DISCRETIONARY FUNDING under the FEDERAL
14 TRANSPORTATION ACT or continued funding; and, be it

15 FURTHER RESOLVED, That APPLICANT, by adopting this Resolution, does hereby
16 state that:

- 17 1. APPLICANT will commit \$19,277,000 in non-federal matching funds; and,
- 18 2. APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the
19 projects is fixed at the MTC-approved programmed amount, and that any cost
20 increases must be funded by APPLICANT from other funds, and that APPLICANT
21 does not expect any cost increases to be funded with additional REGIONAL
22 DISCRETIONARY FUNDING;
- 23 3. APPLICANT understands the funding deadlines associated with these funds and
24 will comply with the provisions and requirements of the Regional Project Funding
25 Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will

1 retain the expertise, knowledge and resources necessary to deliver federally-funded
2 transportation and transit projects, and has assigned, and will maintain a single
3 point of contact for all FHWA and CTC funded transportation projects to coordinate
4 within the agency and with the respective CMA, MTC, Caltrans, FHWA, and CTC
5 on all communications, inquiries or issues that may arise during the federal
6 programming and delivery process for all FHWA and CTC funded transportation
7 and transit projects implemented by APPLICANT;

- 8 4. PROJECTS will be implemented as described in the complete application and in
9 this Resolution, subject to environmental clearance, and, if approved, for the
10 amount approved by MTC and programmed in the federal TIP;
- 11 5. APPLICANT has reviewed the PROJECTS and has adequate staffing resources to
12 deliver and complete the PROJECTS within the schedule submitted with the project
13 application;
- 14 6. The PROJECTS will comply with the requirements as set forth in MTC
15 programming guidelines and project selection procedures for the PROGRAM;
- 16 7. APPLICANT agrees to comply with the requirements of MTC's Transit Coordination
17 Implementation Plan as set forth in MTC Resolution No. 3866, revised;
- 18 8. In the case of an RTIP project, PROJECTS are included in a local congestion
19 management plan, or are consistent with the capital improvement program adopted
20 pursuant to MTC's funding agreement with the countywide transportation agency;
21 and, be it

22 FURTHER RESOLVED, That APPLICANT is an eligible sponsor of REGIONAL
23 DISCRETIONARY FUNDING funded projects; and, be it

24 FURTHER RESOLVED, That APPLICANT is authorized to submit an application for
25 REGIONAL DISCRETIONARY FUNDING for the PROJECTS; and, be it

1 FURTHER RESOLVED, That there is no legal impediment to APPLICANT making
2 applications for the funds; and be it

3 FURTHER RESOLVED, That there is no pending or threatened litigation that might in
4 any way adversely affect the proposed PROJECTS, or the ability of APPLICANT to deliver
5 such PROJECTS; and be it

6 FURTHER RESOLVED, That the Director of Public Works or his or her designee is
7 authorized to execute and file an application with MTC for REGIONAL DISCRETIONARY
8 FUNDING for the PROJECTS as referenced in this resolution; and be it

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

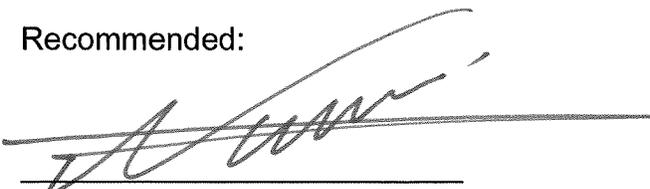
11 FURTHER RESOLVED, That the MTC is requested to support the application for the
12 PROJECTS described in the resolution, and if approved, to include the PROJECTS in MTC's
13 federal TIP upon submittal by the project sponsor for TIP programming; and be it

14 FURTHER RESOLVED, That the grant funds are hereby placed on Controller's
15 Reserve pending appropriation of the matching funds; and be it

16 FURTHER RESOLVED, That APPLICANT is authorized to accept and expend
17 \$19,346,000 awarded by the MTC through the One Bay Area Grant Program; and be it

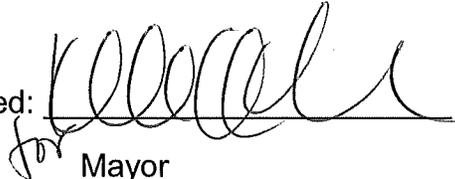
18 FURTHER RESOLVED, That the Director of Public Works or his or her designee is
19 authorized to execute all documents pertaining to the project with Caltrans.

21 Recommended:

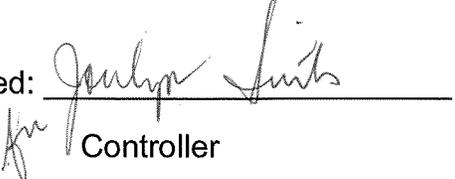


24 Mohammed Nuru
25 Director of Public Works

Approved:


for Mayor

Approved:


for Controller



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 180269

Date Passed: May 08, 2018

Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing Public Works to accept and expend \$19,346,000 in OneBayArea Grant funds awarded through the MTC.

April 26, 2018 Budget and Finance Sub-Committee - RECOMMENDED

May 08, 2018 Board of Supervisors - ADOPTED

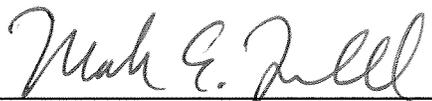
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180269

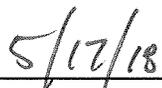
I hereby certify that the foregoing Resolution was ADOPTED on 5/8/2018 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mark E. Farrell
Mayor



Date Approved