

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 14-0060

WHEREAS, The SFPUC considered The Southern Skyline Blvd. Ridge Trail Extension alignment (Alternative A/B: Programmatic Skyline Blvd alignment) at the programmatic level as one of the six access alternatives in the final 2001 SFPUC Peninsula Watershed Management Plan Spring 2002 adopted June 26, 2001(SFPUC Resolution 01-0140); and

WHEREAS, The SFPUC adopted Alternative E as the preferred access alternative for the Fifield-Cahill Ridge trail program; of which the "Skyline Trail" is the southern extension and amended and finalized the Peninsula Watershed Management Plan on December 18, 2002 (SFPUC Resolution 02-0265); and

WHEREAS, The SFPUC; in order to defray costs of the project; directed staff to seek additional funding opportunities from sources such as grants, contributions, or cooperative funding agreements with governmental agencies or other entities interested in jointly funding the Fifield-Cahill Ridge Trail program (SFPUC Resolution 02-0265); and

WHEREAS, The Southern Skyline Blvd Ridge Trail Extension project was recommended by State Coastal Conservancy (SCC), Metropolitan Transportation Commission (MTC) and the Association of Bay Area Government staff for funding in the amount of \$1,000,000 through the Priority Conservation Area Grant Program which supports the "Plan Bay Area " a long-range transportation and land-use/housing plan for the San Francisco Bay Area and the SCC board determined the project would receive Federal Highway Transportation grant funds and the SCC recommended that the project be considered for inclusion in the MTC Transportation Improvement Program; and

WHEREAS, The SFPUC is submitting an application to the MTC for \$1,000,000 in funding assigned to MTC for programming discretion, including but not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Southern Skyline Boulevard Ridge Trail Extension (Skyline Trail) Project (herein referred to as PProject) for the Priority Conservation Area Grant Fund Program (herein referred to as PROGRAM); and

WHEREAS, The Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, State statutes, including California Streets and Highways Code 182.6 and 182.7 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 MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA 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 federal funds; and

WHEREAS, This action does not constitute a "project" under California Environmental Quality Act Guidelines Section 15378 because there would be no physical change in the environment, and environmental review would be completed under CEQA prior to subsequent action by this Commission to approve the project or award of a construction contract to implement the project; and

WHEREAS, The SFPUC is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

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

1. the commitment of any required matching funds; and
2. that the sponsor understands that the 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
3. that the project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. the assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. that the project will comply with all project-specific requirements as set forth in the PROGRAM; and
6. that the project (transit only) 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; now, therefore, be it

RESOLVED, That the SFPUC is authorized to execute and file an application for funding for the Project for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued funding; and be it

FURTHER RESOLVED, That the SFPUC by adopting this resolution does hereby state that:

1. The SFPUC will provide any required matching funds subject to completion of necessary environmental review under CEQA and Project approval; and
2. The SFPUC understands that the REGIONAL DISCRETIONARY FUNDING for the Project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the SFPUC from other funds, and that the SFPUC does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
3. The SFPUC 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 SFPUC has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by the SFPUC; and
4. The Project will be implemented as described in the complete application and in this resolution, subject to necessary environmental clearance under CEQA, Project approval by the SFPUC, and the acquisition of any necessary permits from state and federal resource agencies that are required for Project construction, and, if so approved, for the amount approved by MTC and programmed in the federal TIP; and
5. The SFPUC and the Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and
6. The SFPUC (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and be it

FURTHER RESOLVED, That the SFPUC is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it

FURTHER RESOLVED, That the SFPUC is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the Project and be it

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

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

FURTHER RESOLVED, That the SFPUC authorizes its General Manager, or his designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the Project as referenced in this resolution; and be it

FURTHER RESOLVED, That a copy of this resolution will be transmitted to the MTC in

conjunction with the filing of the application; and be it

FURTHER RESOLVED, That the MTC is requested to support the application for the Project described in the resolution and to include the Project, if approved, in MTC's federal TIP; and be it

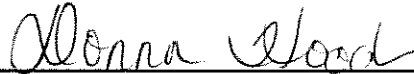
FURTHER RESOLVED, That the SFPUC hereby authorizes the General Manager to submit on behalf of the City and County of San Francisco, an application to the MTC for \$1,000,000 in grant funding assigned to MTC for programming discretion, for the Southern Skyline Boulevard Ridge Trail Extension Project on the Peninsula Watershed in San Mateo County through the Priority Conservation Area Grant Fund Program, and be it

FURTHER RESOLVED, The SFPUC authorizes the General Manager to commit the required matching funds in the amount of \$3,000,000 and state the SFPUC's assurance to complete the project, subject to necessary environmental review in compliance with the California Environmental Quality Act, Project approval by the SFPUC, and the acquisition of any necessary permits from state and federal resource agencies that are required for Project construction, and be it

FURTHER RESOLVED, that if the MTC grants funds become available, the SFPUC authorizes the General Manager to seek approval of the Board of Supervisors of a resolution authorizing the acceptance and expenditure of the grant funds for Project construction under San Francisco Administrative Code section 10.170, and be it

FURTHER RESOLVED that if MTC grant funds become available, the General Manager is authorized to negotiate and execute any necessary grant agreements with MTC and any other federal or state funding agencies that are required to accept and expend grant funding.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of April 22, 2014.*



---

*Secretary, Public Utilities Commission*