

1 [Apply for, Accept, and Expend - Local Priority Development Area Planning and
Implementation Efforts - \$2,380,000

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3 **Resolution authorizing the Planning Department to apply for, accept, and expend funds**
4 **in the amount of \$2,380,000 from the Metropolitan Transportation Commission for local**
5 **Priority Development Area Planning and Implementation efforts spanning FYs 2012-**
6 **2013 through FYs 2015-2016.**

7
8 WHEREAS, The San Francisco Planning Department is submitting an application to
9 the Metropolitan Transportation Commission (MTC) for \$2,380,000 in funding assigned to
10 MTC for programming discretion, including but not limited to federal funding administered by
11 the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP)
12 funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or
13 Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL
14 DISCRETIONARY FUNDING) for local PDA Planning and Implementation efforts spanning
15 Fiscal Years 2012-13 through 2015-16 (herein referred to as PROJECT) for the County PDA
16 Implementation program (herein referred to as PROGRAM); and

17 WHEREAS, The Moving Ahead for Progress in the 21st Century Act (Public Law 112-
18 141, July 6, 2012) and any extensions or successor legislation for continued funding
19 (collectively, MAP 21) authorize various federal funding programs including, but not limited to
20 the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and
21 Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation
22 Alternatives Program (TA) (23 U.S.C. § 213); and

23 WHEREAS, State statutes, including California Streets and Highways Code 182.6 and
24 182.7 provide various funding programs for the programming discretion of the Metropolitan
25 Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

1 WHEREAS, Pursuant to MAP-21, and any regulations promulgated thereunder, eligible
2 project sponsors wishing to receive federal funds for a project shall submit an application first
3 with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement
4 Program (TIP);and

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

7 WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC
8 Resolution No. 3606, revised) that sets out procedures governing the application and use of
9 federal funds; and

10 WHEREAS, The San Francisco Planning Department is an eligible sponsor for
11 REGIONAL DISCRETIONARY FUNDING; and

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

- 15 1. the commitment of any required matching funds; and
- 16 2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is
17 fixed at the programmed amount, and therefore any cost increase cannot be
18 expected to be funded with additional REGIONAL DISCRETIONARY FUNDING;
19 and
- 20 3. that the project will comply with the procedures, delivery milestones and funding
21 deadlines specified in the Regional Project Funding Delivery Policy (MTC
22 Resolution No. 3606, revised); and
- 23 4. the assurance of the sponsor to complete the project as described in the
24 application, and if approved, as included in MTC's federal Transportation
25 Improvement Program (TIP); and

- 1 5. that the project will comply with all project-specific requirements as set forth in the
2 PROGRAM; and
- 3 6. that the project (transit only) will comply with MTC Resolution No. 3866, revised,
4 which sets forth the requirements of MTC's Transit Coordination Implementation
5 Plan to more efficiently deliver transit projects in the region.

6 Now, therefore, be it

7 RESOLVED, That the San Francisco Planning Department is an eligible sponsor of
8 REGIONAL DISCRETIONARY FUNDING funded projects; and be it

9 FURTHER RESOLVED, That the San Francisco Planning Department is authorized to
10 submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be
11 it

12 FURTHER RESOLVED, That there is no legal impediment to the San Francisco
13 Planning Department making applications for the funds; and be it

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

17 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
18 Francisco authorizes its Director of Planning, or designee, to execute and file an application
19 with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in
20 this resolution; and be it

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

23 FURTHER RESOLVED, That the MTC is requested to support the application for the
24 PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's
25 federal TIP.

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Recommended:

Department Head

Approved: _____

Mayor

Approved: _____

Controller