



RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE EXECUTIVE DIRECTOR TO FILE AN APPLICATION FOR REGIONAL DISCRETIONARY FUNDING ASSIGNED TO THE METROPOLITAN TRANSPORTATION COMMISSION, COMMITTING ANY NECESSARY MATCHING FUNDS, AND STATING ASSURANCE TO COMPLETE THE YERBA BUENA ISLAND MULTI-USE PATHWAY PROJECT (PROJECT) AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE FUNDING AGREEMENTS WITH CALTRANS FOR RECEIPT OF FEDERAL AND STATE FUNDS FOR THE PROJECT IN THE AMOUNT OF \$1,000,000 FROM A PRIORITY CONSERVATION AREA GRANT AND \$3,800,000 FROM A REGIONAL ACTIVE TRANSPORTATION PROGRAM GRANT

WHEREAS, The San Francisco County Transportation Authority (Transportation Authority) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,000,000 and an application for \$3,800,000 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, Congestion Mitigation and Air Quality Improvement Program funding, Transportation Alternatives set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program funding (herein collectively referred to as Regional Discretionary Funding) for the Yerba Buena Island (YBI) Multi-use Pathway Project (herein referred to as Project) for the Priority Conservation Area Grant (\$1,000,000 for preliminary engineering and the environmental document) and Regional ATP (\$3,800,000 for final design) (herein referred to as Program); and

WHEREAS, The Project will provide new pedestrian and bicycle facilities that extend from the existing San Francisco-Oakland Bay Bridge (SFOBB) East Span Bicycle and Pedestrian Path's YBI terminus to the new Treasure Island Ferry Terminal; and

WHEREAS, This path would also tie into the planned SFOBB West Span Bicycle and Pedestrian facility currently being developed by the Bay Area Toll Authority and MTC; 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 (23 U.S.C. § 149) and the Transportation Alternatives set-aside (23 U.S.C. § 133); 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, 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 Regional Discretionary Funding; and

WHEREAS, The Transportation Authority 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:

- The commitment of any required matching funds; and
- 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
- 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

- 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
- That the Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and
- That the Project will comply with all project-specific requirements as set forth in the Program; and
- That the Transportation Authority 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, 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 Transportation Authority; and

WHEREAS, That the Transportation Authority is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, There is no legal impediment to the Transportation Authority making applications for the funds; and

WHEREAS, There is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of the Transportation Authority to deliver such Project; and

WHEREAS, The Transportation Authority authorizes its Executive Director to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

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



WHEREAS, Approval of the recommended action would facilitate compliance with MTC funding requirement deadlines, avoid loss of grant revenues, and enable the Transportation Authority to seek reimbursement of federal and/or state grant funds administered by MTC and Caltrans for the Project; and

WHEREAS, At its April 28, 2021 meeting, the Citizens Advisory Committee was briefed on the staff recommended Resolution of Local Support for the Project and unanimously adopted a motion of support for the staff recommendation; now, therefore, be it

RESOLVED that the Executive Director is authorized to execute and file an application for Regional Discretionary Funding for the Project under the Federal Transportation Act or continued funding; and be it further

RESOLVED That the Transportation Authority will provide any required matching funds; and be it further

RESOLVED, That the Transportation Authority 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 Transportation Authority from other funds, and that the Transportation Authority does not expect any cost increases to be funded with additional Regional Discretionary Funding; and be it further

RESOLVED, That the Transportation Authority 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 Transportation Authority 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 (which is the Congestion Management Agency for San Francisco), MTC, Caltrans, FHWA, and CTC on all communications, inquiries 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 Transportation Authority; and be it further

RESOLVED, That the Project will be implemented as described in the complete



application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED, That the Transportation Authority has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the Project application; and be it further

RESOLVED, That Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and be it further

RESOLVED, That the Transportation Authority is an eligible sponsor of Regional Discretionary Funding funded projects; and be it further

RESOLVED, that there is no legal impediment to the Transportation Authority 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 Transportation Authority to deliver such Project; 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 if approved, to include the Project in MTC's federal TIP upon submittal by the project sponsor for TIP programming; and be it further

RESOLVED, That the Transportation Authority hereby authorizes the Executive Director to execute funding agreements with Caltrans for receipt of federal and state funds for the Project in the amount of \$1,000,000 from a Priority Conservation Area Grant and \$3,800,000 from a Regional Active Transportation Program Grant; and be it further

RESOLVED, That the Executive Director is hereby authorized to communicate this information to the MTC, Caltrans, other relevant agencies, and interested parties.



**San Francisco
County Transportation
Authority**

BD052521

RESOLUTION NO. 21-52

The foregoing Resolution was approved and adopted by the San Francisco County Transportation Authority at a regularly scheduled meeting thereof, this 8th day of June, 2021, by the following votes:

Ayes: Commissioners Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani, and Walton (10)

Nays: (0)

Absent: Commissioner Chan (1)

A handwritten signature in black ink, appearing to read 'Rafael Mandelman'.

Rafael Mandelman
Chair

Date

A handwritten signature in blue ink, appearing to read 'Tilly Chang'.

ATTEST:

6/30/21

Tilly Chang
Executive Director

Date