

RESOLUTION NO. 103-2010

Adopted August 3, 2010

ADOPTING A RESOLUTION OF SUPPORT FOR THE AGENCY'S REGIONAL TRANSPORTATION FOR LIVABLE COMMUNITIES APPLICATION FOR THE SOUTH OF MARKET ALLEYWAYS IMPROVEMENTS, PHASE 2; SOUTH OF MARKET REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

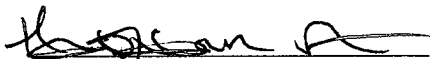
1. On April 22, 2010, the Redevelopment Agency of the City and County of San Francisco ("Agency") staff submitted an application to the Metropolitan Transportation Commission ("MTC") for \$1,380,000 in funding for Phase 2 of the South of Market Alleyways Improvements Project (the "Project") from the 2010 Regional Transportation Improvement Program ("RTIP"), as authorized by MTC by Resolution No. 3928.
2. The source of federal funds is the Congestion Mitigation and Air Quality Improvement Program ("CMAQ"), which is being administered locally by the MTC. The Agency is an eligible project sponsor for the CMAQ federal funds.
3. MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for funds in the RTIP. As part of the application for federal funding, MTC requires a resolution of support adopted by the Agency.
4. MTC staff completed its review of the applications on July 9, 2010, and the Project was included on a list of projects that were recommended for RTIP funding. MTC staff recommended that the Project receive funding in the amount of \$1,381,000 as requested in the Agency staff's application. This recommendation will be considered by the MTC Programming and Allocations Committee on July 14, 2010, and by the full MTC on July 28, 2010.
5. The federal grant funds, if received, allow the Agency to provide additional funding for the Project.
6. Adopting a resolution of support for the Transportation for Livable Communities program grant funds is an Agency administrative activity that will not cause any physical change in the environment and is not a project pursuant to the California Environmental Quality Act ("CEQA") definition of a project contained in CEQA Guidelines Section 15378(b)(5). The provision of grant funds to the Project would not independently result in a physical change in the environment, and is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301(c).

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

1. The Executive Director is authorized to apply for, and if accepted to expend, 2010 regional Transportation for Livable Communities program grant funds in an approximate amount of \$1,380,000, for the South of Market Alleyways Improvements Project, Phase 2 within the South of Market Redevelopment Project Area; and
2. The Agency approves the assurances set forth in *Resolution of Assurances* of the project application, attached hereto as Attachment "A."

APPROVED AS TO FORM:


James Bl Morales
Agency General Counsel

Attachment A: Resolution of Assurances

ATTACHMENT "A"

RESOLUTION OF ASSURANCES

1. The Agency will provide \$959,400 in non-federal matching funds; and
2. The Agency understands that the CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Agency from other funds, and that the Agency does not expect any cost increases to be funded with additional CMAQ funding; and
3. The Agency 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, as revised); and
4. Project will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. The Agency and the Project will comply with the requirements as set forth in the program; and
6. The Agency is an eligible sponsor of CMAQ funded projects; and
7. The Agency is authorized to submit an application for CMAQ funds for the Project; and
8. There is no legal impediment to the Agency making applications for the funds; and
9. There is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of the Agency to deliver such Project; and
10. The Agency authorizes its Executive Director or designee to execute and file an application with MTC for CMAQ funding for the Project as referenced in this resolution; and
11. That a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and
12. 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 TIP.