

Date: December 20, 2023
W.I.: 1255
Referred by: PAC
Revised: 1/24/24-C; 2/28/24-C;
3/27/24-C; 6/26/24; 7/24/24-C

ABSTRACT

Resolution No. 4615, Revised

This resolution approves the allocation of Regional Measure 3 funds for Muni Fleet Expansion & Facilities Program, sponsored by San Francisco Municipal Transportation Agency.

This Resolution includes the following attachments:

Attachment A – Allocation Summary

Attachment B – Conditions of Allocation

Attachment C – Project and Subproject Details, Funding Plan, and Schedule

Attachment D – RM3 Cash Flow Plan

This resolution allocates \$3.5 million in RM3 funds to the San Francisco Municipal Transportation Agency (SFMTA) for the construction phase of the Potrero Modernization Project (RM3 Project #10.1).

This resolution was revised on January 24, 2024, to allocate \$33.5 million in RM3 funds to SFMTA for the construction phase of the Light Rail Vehicle (LRV) Procurement project (RM3 Project #10.2 for \$6.5 million) and 40’/60’ hybrid buses project (RM3 Project #10.3 for \$27 million).

This resolution was revised on February 28, 2024 to allocate \$6.2 million in RM3 funds to SFMTA for the environmental and early design phases for the Kirkland Yard Electrification Project (RM3 Project #10.4 for \$3.8 million), and for the design phase for the Battery Electric Bus Procurement Project (RM3 Project #10.5 for \$2.38 million).

This resolution was revised on March 27, 2024, to allocate \$12.6 million in RM3 funds to SFMTA for the Project Approval and Environmental Document (PA&ED) phase of the Presidio Modernization Project (RM3 Project #10.6).

ABSTRACT

MTC Resolution No. 4615

Page 2

This resolution was revised on June 26, 2024, to allocate \$6.718 million in RM3 funds to SFMTA for the Construction/Procurement phase of the Vintage Streetcar Rehabilitation (RM3 Project #10.7) and \$11.34 million for the Construction/Procurement phase of the New Flyer Midlife Overhaul Project (RM3 Project #10.8).

This resolution was revised on July 24, 2024, to allocate \$2.694 million in RM3 funds to SFMTA for the design phase of the Kirkland Yard Electrification Project (RM3 Project #10.4). This resolution was also revised to include the RM3 subproject numbers for each allocation.

Further discussion of this action is contained in the Programming and Allocations Summary Sheets dated December 13, 2023, January 10, 2024, February 14, 2024, March 13, 2024, June 12, 2024 and July 10, 2024.

Date: December 20, 2023
W.I.: 1255
Referred by: PAC

RE: Approval of Allocation of Regional Measure 3 Funds for Muni Fleet Expansion & Facilities Program.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4615

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on June 5, 2018, a special election was held in the City and County of San Francisco, and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (individually, each a “County” and, collectively, the “Counties”) to approve a toll increase of three dollars (\$3.00) phased in over time, including a one dollar (\$1.00) toll increase on January 1, 2019, a one dollar (\$1.00) toll increase on January 1, 2022, and a one dollar (\$1.00) toll increase on January 1, 2025, for vehicles traveling on the state-owned bridges located in the San Francisco Bay Area (“Regional Measure 3”); and

WHEREAS, on September 26, 2018, BATA adopted Resolution No. 126 accepting certified statements from the Registrar of Voters of the City and County of San Francisco and each of the Counties and observing that a majority of all voters voting on Regional Measure 3 (“RM3”) at such special election voted affirmatively for RM3; and

WHEREAS, RM3 establishes the RM3 Expenditure Plan and identifies specific capital projects and programs and operating programs eligible to receive RM3 funding as identified in Sections 30914.7(a) and (c) of the California Streets and Highways Code; and

WHEREAS, BATA shall fund the projects of the RM3 Expenditure Plan by bonding or transfers to MTC; and

ABSTRACT

MTC Resolution No. 4615

Page 2

WHEREAS, MTC adopted RM3 Policies and Procedures for the implementation of the RM3 Expenditure Plan, specifying the allocation criteria and project compliance requirements for RM3 funding (MTC Resolution No. 4404, Revised); and

WHEREAS, the Muni Fleet Expansion & Facilities Program is identified as capital project number 10 under the RM3 expenditure plan and is eligible to receive RM3 funding as identified in Streets and Highways Code Sections 30914.7(a); and

WHEREAS, the San Francisco Municipal Transportation Agency (SFMTA) is the project sponsors for the Program; and

WHEREAS, SFMTA has submitted a request for the allocation of RM3 funds for the Potrero Modernization Project; and

WHEREAS, SFMTA has submitted an initial Project Report (IPR), as required pursuant to Streets and Highways Code Section 30914.7(d); and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the SFMTA is requesting RM3 funding and the amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM3 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff's review of SFMTA's IPR for each project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM3 funds and complementary funding for the deliverable RM3 project segment or product; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance

ABSTRACT

MTC Resolution No. 4615

Page 3

with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves MTC staff's review of SFMTA's IPR for each project as set forth in Attachment C; and, be it further

RESOLVED, that MTC approves the allocation and reimbursement of RM3 funds in accordance with the amount, reimbursement schedule, and allocation expiration dates for the phases and activities as set forth in Attachment A; and, be it further

RESOLVED, that the allocation and reimbursement of RM3 funds as set forth in Attachment A are conditioned upon SFMTA complying with the provisions of the RM3 Policies and Procedures as set forth at length in MTC Resolution No. 4404, Revised; and, be it further

RESOLVED, that the allocation and reimbursement of RM3 funds are further conditioned upon the project specific conditions set forth in attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM3 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any complementary funding as set forth in Attachment D; and, be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on December 20, 2023.