



Metropolitan Transportation Commission

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, February 22, 2023

9:35 AM

HYBRID (In-Person Option Available)

Joint Meeting with the Bay Area Housing Finance Authority (BAHFA)

The Metropolitan Transportation Commission is scheduled to meet jointly with BAHFA on Wednesday, February 22, 2023 at 9:35 a.m., in the Bay Area Metro Center (HYBRID with In-person option available). In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361's (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/89293628772>

Or iPhone one-tap: US: +13462487799,,89293628772# or +12532050468,,89293628772#
Or Join by Telephone: (for higher quality, dial a number based on your current location) US:
+1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or
+1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or
877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 892 9362 8772

International numbers available: <https://bayareametro.zoom.us/j/kcEhvnuzWE>

Detailed instructions on participating via Zoom are available at:
<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand"

feature or dial "*9". In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

Commission / BAHFA Roster:

Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair), Margaret Abe-Koga, Eddie Ahn,
David Canepa, Cindy Chavez, Carol Dutra-Vernaci, Dina El-Tawansy*, Victoria Fleming,
Dorene M. Giacomini*, Federal D. Glover, Matt Mahan, Nate Miley, Stephanie Moulton-Peters,
Sue Noack, Gina Papan, David Rabbitt, Hillary Ronen, James P. Spering, Sheng Thao, Vacant*

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

*A quorum of this Commission and BAHFA shall be a majority of its voting members
(10).*

2. Pledge of Allegiance/ Acknowledgement of the Flag

3. Compensation Announcement

4. Joint MTC and BAHFA Consent Calendar

- 4a. [23-0232](#) Minutes of the January 25, 2023 Joint MTC w/ BAHFA meeting
Action: Commission / Authority Approval
Attachments: [4a 23-0232 January 25 2023 Draft Commission w-BAHFA Minutes.pdf](#)
- 4b. [23-0241](#) MTC Resolution No. 4561, and BAHFA Resolution No. 27 - Providing for
Remote Meetings Pursuant to Assembly Bill 361
Action: Commission Approval; and Authority Approval
Attachments: [4b 23-0241 MTC Resolution 4561 AB 361.pdf](#)
[4b 23-0241 BAHFA Resolution 27 AB 361.pdf](#)

5. Public Comment / Other Business

6. Adjourn Bay Area Housing Finance Authority and Continue with MTC Agenda

7. Closed Session

- 7a. [23-0404](#) Closed Session Public Comment
- 7b. [23-0405](#) Closed Session: PUBLIC EMPLOYEE APPOINTMENT
Executive Director (California Government Code Section 54957)
- 7c. [23-0406](#) Open Session: Appointment of Executive Director and Approval of
Employment Agreement
Action: Commission Approval
Attachments: [7c 23-0291 Executive Director Selection.pdf](#)

8. Chair's Report (Pedroza)

- 8a. [23-0391](#) MTC Resolution No. 4566. Resolution of appreciation for Behrouz (Bruce) Samar on the occasion of his retirement.

Action: Commission Approval

Attachments: [8a 23-0391 MTC Resolution 4566 Appreciation Samar.pdf](#)

9. Ad-Hoc Nominating Committee Report (Spering)

- 9a. [23-0236](#) Closing of Nominations and Election of Officers

Action: Commission Approval

10. Policy Advisory Council Report (Randi Kinman)

11. Executive Director's Report

- 11a. [23-0316](#) Executive Director's Report

Action: Information

Attachments: [11a 23-0316 MTC 02-22-23 Executive Directors Report.pdf](#)

12. Commissioner Comments

13. Consent Calendar:

Programming and Allocations Committee

- 13a. [23-0347](#) Minutes of the January 30, 2023 Special Commission meeting

Action: Commission Approval

Attachments: [13a 23-0347 January 30 2023 Draft Commission Minutes.pdf](#)

- 13b. [23-0042](#) MTC Resolution No. 4545, Revised. 2023 Transportation Improvement Program (TIP) Amendment 2023-05.

Action: Commission Approval

Attachments: [13b 23-0042 MTC Resolution 4545 TIP Amendment 2023-05.pdf](#)

- 13c. [23-0231](#) MTC Resolution No. 4412, Revised. Regional Measure 3 (RM3) Letter of No Prejudice of \$0.7 million to the Solano Transportation Authority for the I-80/680/SR-12 Interchange Project.

Action: Commission Approval

Attachments: [13c 23-0231 MTC Resolution 4412 RM3 LONP I80-680-SR12 Interchange](#)

- 13d. [23-0251](#) MTC Resolution No. 4505, Revised. Revisions to the One Bay Area Grant program (OBAG 3) to direct \$20 million within the Climate Initiatives program to MTC for Regional e-Bikeshare Expansion.

Action: Commission Approval

Attachments: [13d 23-0251 MTC Resolution 4505 OBAG3 Revisions BayWheels Bikesha](#)

Committee Reports

14. Programming and Allocations Committee (Rabbitt)

- 14a. [23-0230](#) FY 2022-23 Transit Performance Initiative Call for Projects Award Recommendations

Recommendation of awards for the FY2022-23 Transit Performance Initiative (TPI) Investment Program Call for Projects, including award of approximately \$15 million in STP/CMAQ funding and approximately \$6 million in Low Carbon Transit Operations Program (LCTOP) funding.

Action: Commission Approval

Attachments: [14a 23-0230 FY2022-23 TPI Call for Projects Award Recommendations.pc](#)

- 14b. [23-0163](#) MTC Resolution No. 4556. FY 2023-24 MTC Fund Estimate

Annual Fund Estimate and proposed apportionment and distribution of approximately \$1 billion in Transportation Development Act (TDA) Local Transportation Fund, State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill 1107 (AB 1107), transit-related bridge toll, and Low Carbon Transit Operations Program (LCTOP) funds for FY 2023-24.

Action: Commission Approval

Attachments: [14b 23-0163 MTC Reso 4556 Fund Estimate.pdf](#)

15. Joint MTC ABAG Legislation Committee

- 15a. [23-0119](#) Assembly Constitutional Amendment 1 (Aguiar-Curry): Voter Threshold for Local Infrastructure Bonds and Taxes

Assembly Constitutional Amendment (ACA) 1 would lower to 55 percent the voter approval threshold for local bonds and special taxes for affordable housing, transportation, resilience and other public infrastructure.

Action: Support and Seek Amendment / ABAG Executive Board Approval
Support and Seek Amendment / MTC Commission Approval

Attachments: [15a 23-0119 ACA1 Aguiar-Curry Voter Threshold-Local Infrastructure Bond](#)

15b. [23-0081](#) Assembly Bill 84 (Ward): Property Tax Welfare Exemption

Provides upfront savings on affordable housing developments by revising the welfare tax exemption from a rebate to upfront savings.

Action: Support / ABAG Executive Board Approval
Support / MTC Commission Approval

Attachments: [15b_23-0081_AB84_Ward-Property_Tax_Welfare_Exemption.pdf](#)

16. Executive Committee

16a. [23-0306](#) MTC Resolution No. 4564. Near-Term Regional Network Management (RNM) Framework Recommendations

Approval of policy support for the Regional Network Management (RNM) framework. Following Commission approval, staff will develop and present an RNM Implementation Plan for Commission approval, the timing being subject to involvement of the new MTC Executive Director.

Action: Commission Approval

Attachments: [16a_23-0306_MTC_Resolution_4564_RNM_Framework_Recommendations.pdf](#)
[16a_23-0306_Attachment_A_RNM_Framework_Recommendation_Key_Slides](#)

17. Commission Approval

17a. [23-0292](#) In-Person Meetings / Brown Act / AB2449

A report on the return to In-Person Meetings/Brown Act/AB 2449.

Action: Information

Attachments: [17a_23-0292_Return_to_In-Person_Meetings-Brown Act-AB2449.pdf](#)

18. Public Comment / Other Business

19. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. on Wednesday, March 22, 2023 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Commission meetings by completing a request-to-speak card (available from staff) and passing it to the Commission secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Commission may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Commission meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Título VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Commission members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Commission. Actions recommended by staff are subject to change by the Commission.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0232 **Version:** 1 **Name:**

Type: Minutes **Status:** Commission Approval

File created: 1/12/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: Minutes of the January 25, 2023 Joint MTC w/ BAHFA meeting

Sponsors:

Indexes:

Code sections:

Attachments: [4a_23-0232_January_25_2023_Draft_Commission_w-BAHFA_Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Minutes of the January 25, 2023 Joint MTC w/ BAHFA meeting

Recommended Action:

Commission / Authority Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, January 25, 2023

9:35 AM

HYBRID (In-Person Option Available)

Chair Pedroza called the meeting to order at 9:37 a.m.

1. Roll Call / Confirm Quorum

Present: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, and Commissioner Sperring

Absent: 1 - Commissioner Thao

Vice Chair Josefowitz, Commissioner Miley, and Commissioner Papan were absent during the Roll Call. Commissioner Miley arrived during agenda item 4; Commissioner Papan arrived during agenda item 7; and Vice Chair Josefowitz arrived during agenda item 7a.

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioner Absent: Commissioner El-Tawansy

2. Pledge of Allegiance/ Acknowledgement of the Flag

3. Compensation Announcement

4. Joint MTC and BAHFA Consent Calendar

Commissioner Miley arrived during agenda item 4.

Upon the motion by Commissioner Sperring and seconded by Commissioner Chavez, the Joint MTC and BAHFA Consent Calendar was unanimously approved by the following vote:

Aye: 14 - Chair Pedroza, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Sperring

Absent: 3 - Vice Chair Josefowitz, Commissioner Papan and Commissioner Thao

4a. [23-0068](#) Minutes of the December 21, 2022 Joint MTC with BAHFA meeting

Action: Commission Approval; and Authority Approval

- 4b. [23-0069](#) MTC Resolution No. 4557, and BAHFA Resolution No. 26 - Providing for Remote Meetings Pursuant to Assembly Bill 361

Action: Commission Approval; and Authority Approval

5. Public Comment / Other Business

6. Adjourn BAHFA and Continue with MTC Agenda

7. Chair's Report (Pedroza)

Commissioner Papan arrived during agenda item 7.

23-0307 Temporary Committee Assignments for New Commissioners

Upon the motion by Commissioner Spering and seconded by Commissioner Chavez, the Commission unanimously approved the appointment of Commissioner Mahan and Commissioner Thao to serve on the Friday committees including the Operations Committee, Joint MTC Planning Committee with the ABAG Administrative Committee, and the Joint MTC ABAG Legislation Committee. These appointments will be until the mid-term committee appointments are made. The motion carried by the following vote:

Aye: 15 - Chair Pedroza, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Spering

Absent: 2 - Vice Chair Josefowitz and Commissioner Thao

- 7a. [23-0158](#) MTC Resolution No. 4558. Resolution of Appreciation for Commissioner Amy Worth on the occasion of her departure from MTC.

Action: Commission Approval

Vice Chair Josefowitz arrived during agenda item 7a.

Julie Pierce and Aleta Dupree were called to speak.

Upon the motion by Commissioner Papan and seconded by Vice Chair Josefowitz, the Commission unanimously adopted MTC Resolution No. 4558. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Spering

Absent: 1 - Commissioner Thao

7b. [23-0159](#) MTC Resolution No. 4559. Adoption of Equity Platform

A request that the Commission adopt MTC Resolution No. 4559, MTC's Equity Platform, meant to address equity challenges and inform how MTC and ABAG approach complex systems and environments.

Action: Commission Approval

Upon the motion by Commissioner Papan and seconded by Commissioner Glover, the Commission unanimously adopted MTC Resolution No. 4559. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Spering

Absent: 1 - Commissioner Thao

8. Ad-Hoc Nominating Committee Report (Spering)**8a. [23-0169](#) Recommendation for new Chair and Vice Chair**

Action: Information

The Commission received the report from the Ad-Hoc Nominating Committee recommending that Alfredo Pedroza continue as Chair and Nick Josefowitz continue as Vice Chair.

9. Policy Advisory Council Report (Council Chair/Vice Chair)

Randi Kinman gave her report.

10. Executive Director's Report (McMillan)

[23-0070](#) Executive Director's Report

Action: Information

11. Commissioner Comments

12. Consent Calendar:

Commissioner Mahan was absent during the vote for the Consent Calendar.

Upon the motion by Commissioner Chavez and seconded by Commissioner Spering, the Commission unanimously approved the Consent Calendar by the following vote:

Aye: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Spering

Absent: 2 - Commissioner Mahan and Commissioner Thao

Administration Committee

12a. [23-0038](#) MTC Resolution No. 4563, Statement of Investment Policy

Action: MTC Commission Approval

Presenter: Derek Hansel

12b. [23-0039](#) MTC Resolution No. 4265, Revised - MTC Debt Policy Issuance and Management

Action: MTC Commission Approval

Presenter: Derek Hansel

Programming and Allocations Committee

12c. [23-0097](#) MTC Resolution No. 4555. Higher Impact Transformative Allocation of the Regional Early Action Planning Grant (REAP 2.0) Application Request

Action: Commission Approval

Presenter: Kate Hartley

Legislation Committee

12d. [23-0100](#) MTC Resolution No. 3931, Revised - Reflect Policy Advisory Council Meeting and Language Changes made to MTC Resolution 1058, Revised

Action: MTC Commission Approval

Presenter: Kỳ-Nam Miller

Committee Reports**13. Programming and Allocations Committee (Rabbitt)**

- 13a.** [23-0045](#) MTC Resolutions No. 4487, Revised and 4505, Revised. Adoption of 2023 Regional Active Transportation Program (ATP) Cycle 6 Program of Projects and Revisions to the One Bay Area Grant (OBAG 3) Program.

- i. MTC Resolution No. 4487, Revised. Adoption of the 2023 Regional ATP Cycle 6 Program of Projects, which programs \$143 million in new funding capacity covering FY 2023-24 through FY 2026-27.
- ii. MTC Resolution No. 4505, Revised. Revisions to OBAG3, including programming about \$302 million within the County and Local Program and \$300,000 to MTC's Active Transportation Technical Assistance Program.

Action: Commission Approval

Presenter: Karl Anderson and Thomas Arndt

Written public comments were received from Marc Brenner, Scott Ellis, John and Mary Everett, John and Abby Felder, Laurie Goodwin, Richard Buckley Hughes, Jim Joyce, Ann Joyce, Patricia A. Kennedy-Riske, Bob LaRue (Alameda Electrical Distributions and CA Service Tool), David and Dori Olivero, Gary Riske, Christine Schneller, Carolyn Schneller, Rachel Schneller, Tim Schneller, and Carole Sinclair and Gary Huisingsh.

Jeannie Ellis was called to speak.

Commissioner Mahan returned during agenda item 13.

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Canepa, the Commission unanimously adopted MTC Resolutions No. 4487, Revised and 4505, Revised. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Spering

Absent: 1 - Commissioner Thao

14. MTC Executive Committee

- 14a. [23-0093](#) Recommended Regional Network Management (RNM) Short/Near-Term Framework and Proposed Implementation Plan and Evaluation Framework

The Commission will be provided an update on the Network Management Business Case and an initial RNM framework recommendation, as discussed with the Executive Committee earlier in the month. Staff plans to seek Commission approval of the RNM framework in February, followed by approval of the Implementation Plan in a subsequent month.

Action: Information

Presenter: Guy Wilkinson, KPMG, and Alix Bockelman

Sebastian Petty (SPUR) and Adina Levin were called to speak.

15. Commission Approval

- 15a. [23-0160](#) MTC Resolution No. 4560. Resolution of Appreciation for Executive Director, Therese McMillan on the occasion of her retirement from MTC.

Action: Commission Approval

A resolution of appreciation was received from C/CAG.

The following members of the public were called to speak: Amy Worth, Adina Levin, and Veda Florez.

Upon the motion by Commissioner Chavez and seconded by Vice Chair Josefowitz, the Commission unanimously adopted MTC Resolution No. 4560. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Schaaf and Commissioner Sperling

Absent: 1 - Commissioner Thao

16. Public Comment / Other Business

17. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. on Wednesday, February 22, 2023. Any changes to the schedule will be duly noticed to the public.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	23-0241	Version:	1	Name:	
Type:	Resolution	Status:		Commission Approval	
File created:	1/13/2023	In control:		Metropolitan Transportation Commission	
On agenda:	2/22/2023	Final action:			
Title:	MTC Resolution No. 4561, and BAHFA Resolution No. 27 - Providing for Remote Meetings Pursuant to Assembly Bill 361				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	4b 23-0241 MTC Resolution 4561 AB 361.pdf 4b 23-0241 BAHFA Resolution 27 AB 361.pdf				

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4561, and BAHFA Resolution No. 27 - Providing for Remote Meetings Pursuant to Assembly Bill 361

Recommended Action:

Commission Approval; and Authority Approval

Metropolitan Transportation Commission

February 22, 2023

Agenda Item 4b - 23-0241

MTC Resolution No. 4561 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of MTC Resolution No. 4561 Regarding Remote Meetings Pursuant to AB 361

Background:

AB 361, provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings prospectively for 30 days following the Commission's action.

Issues:

Findings in support of MTC Resolution No. 4561 are found in the attached resolution. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Commission is requested to adopt MTC Resolution No. 4561, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: MTC Resolution No. 4561



Alix A. Bockelman

Date: February 22, 2023
Referred By: Commission

ABSTRACT

Resolution No. 4561

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Metropolitan Transportation Commission (MTC), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the Metropolitan Transportation Commission Summary Sheet dated February 22, 2023.

Date: February 22, 2023
Referred By: Commission

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Metropolitan Transportation Commission (MTC), With its Related Entities and Committees, During the COVID-19 State of Emergency

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4561

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Metropolitan Transportation Commission (MTC) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the San Francisco Public Health Department continues to recommend and/or require measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, recently, multiple COVID-19 variants have surged in the United States and are believed by medical experts to be more contagious than previous variants, and data has shown these variants to have increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about recent COVID-19 variants and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Metropolitan Transportation Commission hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of MTC, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

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 February 22, 2023.

Bay Area Housing Finance Authority
BAHFA

February 22, 2023

Agenda Item 4b - 23-0241

BAHFA Resolution No. 27 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of BAHFA Resolution No. 27 Regarding Remote Meetings Pursuant to AB 361

Background:

AB 361 provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings prospectively for 30 days following the Bay Area Housing Finance Authority's action.

Issues:

Findings in support of Resolution No. 27 are found in the attached resolution. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Bay Area Housing Finance Authority is requested to adopt Resolution No. 27, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- BAHFA Resolution No. 27



Alix A. Bockelman

Date: February 22, 2023
Referred By: BAHFA

ABSTRACT

Resolution No. 0027

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Bay Area Housing Finance Authority (BAHFA), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the BAHFA Summary Sheet dated February 22, 2023.

Date: February 22, 2023
Referred By: BAHFA

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Bay Area Housing Finance Authority (BAHFA), With its Related Entities and Committees, During the COVID-19 State of Emergency

BAY AREA HOUSING FINANCE AUTHORITY
RESOLUTION NO. 0027

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Bay Area Housing Finance Authority (BAHFA) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the San Francisco Public Health Department continues to recommend and/or require measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, recently, multiple COVID-19 variants have surged in the United States and are believed by medical experts to be more contagious than previous variants, and data has shown these variants to have increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about recent COVID-19 variants and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Bay Area Housing Finance Authority hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of BATA, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

BAY AREA HOUSING FINANCE AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the Bay Area Housing Finance Authority at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on February 22, 2023.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0404 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 2/17/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: Closed Session Public Comment

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Closed Session Public Comment



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0405 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 2/17/2023 **In control:** Metropolitan Transportation Commission
On agenda: 2/22/2023 **Final action:**
Title: Closed Session: PUBLIC EMPLOYEE APPOINTMENT
Executive Director (California Government Code Section 54957)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

Closed Session: PUBLIC EMPLOYEE APPOINTMENT

Executive Director (California Government Code Section 54957)



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0406 **Version:** 1 **Name:**

Type: Contract **Status:** Commission Approval

File created: 2/17/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: Open Session: Appointment of Executive Director and Approval of Employment Agreement

Sponsors:

Indexes:

Code sections:

Attachments: [7c_23-0291_Executive_Director_Selection.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Open Session: Appointment of Executive Director and Approval of Employment Agreement

Recommended Action:

Commission Approval

Metropolitan Transportation Commission

February 22, 2023

Agenda Item 7c - 23-0291

Appointment of Executive Director and Approval of Employment Agreement

Subject:

Appointment of Andrew B. Fremier as Executive Director, with approval of his employment agreement.

Background:

MTC's prior Executive Director announced her retirement in August 2022. Following a national search and interviews by both the ABAG Administrative Committee and the Commission, the Commission identified Andrew B. Fremier as the preferred candidate and delegated authority to negotiate an employment agreement to the Chair and Vice Chair. The Chair and Vice Chair have confirmed that negotiations were concluded within the authority conferred on them by the Commission and directed presentation of the attached employment agreement for approval. Upon approval of this item, Mr. Fremier will take office as Executive Director immediately and his compensation and benefits shall be adjusted to reflect the terms of his employment agreement.

Issues:

None.

Recommended Action:

Action: By motion, appoint Andrew B. Fremier as MTC Executive Director and approve his employment agreement in the form attached.

Attachment:

Employment Agreement with Andrew B. Fremier

DocuSigned by:

Kathleen Kane

8502CDB8A50A47E...

Kathleen Kane, General Counsel

EMPLOYMENT AGREEMENT
BETWEEN THE
METROPOLITAN TRANSPORTATION COMMISSION AND
ANDREW B. FREMIER

This agreement is made and entered into as of the 22nd day of February 2023, by and between the Metropolitan Transportation Commission, a regional transportation planning agency established pursuant to California Government Code Sections 66500 *et seq.*, ["MTC"] and Andrew B. Fremier ["Fremier"], collectively referred to as the "Parties", for employment of Fremier as MTC's Executive Director. This agreement may be executed in counterparts and using electronic signatures.

WITNESSETH

WHEREAS, MTC conducted a nationwide search for a new Executive Director upon the announcement of the retirement of the prior incumbent; and

WHEREAS, Fremier was selected as the preferred candidate during that search process; and

WHEREAS, Fremier has been employed by MTC since 2005, most recently as Deputy Executive Director;

NOW, THEREFORE, in consideration of the mutual covenants set forth below, the parties mutually agree as follows:

1. Duties of Employee

For the term of this Agreement, Fremier shall serve on a full-time basis as Executive Director of MTC with such powers and duties as may be assigned to him by MTC.

2. Compensation of Employee

(a) Commencing on February 22, 2023, Fremier's salary shall be \$380,000 annually.

(b) Contingent on (1) the full and faithful performance by Fremier of his duties, and (2) the completion of an annual performance evaluation of Fremier satisfactory to MTC, Fremier's salary shall be subsequently adjusted as follows:

On January 1 of each calendar year during the term of this Agreement, commencing January 1, 2024, the salary in effect in the immediately preceding December shall be increased by the percentage (or amount) provided to the

management staff of MTC per the Memorandum of Understanding then in effect. MTC may consider additional market or merit adjustments to Premier's compensation during the term of this Agreement, up to a cap of six percent over the salary level then in effect. Any increase in compensation must be approved by MTC. Premier's non-salary employee benefits shall be the same as those provided to MTC executive employees, as set forth in an applicable MOU and MTC Resolution No. 4342 or as that resolution may be revised or superseded. Premier's existing benefits, accrual rates and leave balances shall carry forward into the term of this Agreement.

- (c) Premier's salary and employee benefits shall be subject to such deductions and withholdings as may be required by law or authorized by Employee.

3. Term of Agreement

- (a) Except as provided for in Section 3(b) below, the term of this Agreement shall begin on February 22, 2023, and shall be completed on December 31, 2026.
- (b) Notwithstanding Section 3(a) above, or any other provision of this Agreement, MTC may terminate Premier's employment at any time prior to the expiration of the term of this Agreement, for any reason, upon ninety days' written notice. Premier may also terminate his employment upon written notice to MTC and shall endeavor to provide ninety days' notice or as much as is practicable under the circumstances. Neither MTC nor Premier need to show any cause to terminate Premier's employment with MTC. MTC's obligation in the event it terminates Premier's employment before the expiration of the term of this Agreement shall be determined under Section 4 below. In the event Premier chooses to terminate his employment before the end of the term of this Agreement or chooses not to continue his employment with MTC after being offered an extension of this Agreement under comparable terms, Premier shall be entitled to only those termination benefits that are available to all MTC executive employees.

4. Severance

- (a) Other than by mutual agreement or because of Premier's death, disability incurred outside of carrying out the duties as Executive Director, or grave misconduct (as defined in Section 4(b) below), in the event MTC terminates Premier's employment before the expiration of the term of this Agreement, or in the event MTC chooses not to extend this Agreement beyond December 31, 2026 under comparable terms, MTC shall pay Premier a severance payment equal to six months' salary, calculated by the annual salary in effect on the effective date of termination, plus a payment equal to three months medical group health payments, calculated by the actual monthly premium amount paid by MTC for Premier on the effective date of termination. Premier shall be entitled to such other termination benefits that may be available to all

MTC executive employees. Premier agrees that in the event of early termination of this Agreement by MTC, or if MTC chooses not to extend this Agreement beyond December 31, 2026 under comparable terms, the payments pursuant to this Section shall constitute full and complete payment by MTC to Premier and that MTC shall thereafter have no further obligation to continue Premier's MTC employment. This paragraph does not constitute a waiver by Premier of any claims under applicable laws relating to employment discrimination or whistleblower protections.

- (b) As used herein, "grave misconduct" means (1) fraud, theft, embezzlement, bribery or other similar serious acts in connection with Premier's position or duties; (2) conviction of any felony; or (3) the willful refusal to carry out the lawful directives, policies or procedures of MTC. If MTC determines to terminate Premier's employment for alleged grave misconduct, MTC must provide a description of the grounds in writing to Premier and Premier is entitled to request a public hearing on the matter before the Commission, at which witness testimony and other evidence shall be considered by the Commission.

5. Additional Leave

In addition to the leaves and benefits generally available to executive-level employees, Premier shall be granted an additional eight days of "Personal Business" leave for each calendar year of this Agreement, including 2023. The additional "Personal Business" leave shall expire at the end of each calendar year if not used prior to December 31.

6. Entire Agreement

Except for MTC Resolution No. 4342, its amendments and succeeding resolutions as provided for in Section 2(b) above, this written Agreement constitutes the sole understanding of the parties regarding Premier's employment with MTC. This Agreement may not be changed orally and may be amended or supplemented only by written agreement between the parties.

7. Choice of Law

All questions pertaining to the validity and interpretation of this Agreement shall be determined in accordance with the laws of California applicable to agreements made and to be performed within the State.

IN WITNESS WHEREOF, this Agreement is approved by the parties as of the date and year first written above.

METROPOLITAN TRANSPORTATION
COMMISSION

EXECUTIVE DIRECTOR

Alfredo Pedroza, Chair

Andrew B. Fremier, Executive Director



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0391 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 2/10/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: MTC Resolution No. 4566. Resolution of appreciation for Behrouz (Bruce) Samar on the occasion of his retirement.

Sponsors:

Indexes:

Code sections:

Attachments: [8a 23-0391 MTC Resolution 4566 Appreciation Samar.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4566. Resolution of appreciation for Behrouz (Bruce) Samar on the occasion of his retirement.

Recommended Action:

Commission Approval

Date: February 22, 2023
W.I.: 1111
Referred by: Commission

ABSTRACT

Resolution No. 4566

Resolution of Appreciation for Behrouz (Bruce) Samar upon his retirement from MTC and ABAG after nearly 28 years of service.

Date: February 22, 2023
W.I.: 1111
Referred by: Commission

RE: Resolution of Appreciation for Behrouz Samar

METROPOLITAN TRANSPORTATION COMMISSION

Resolution No. 4566

WHEREAS, Behrouz Samar, who is more widely known as Bruce, has retired from the Metropolitan Transportation Commission after nearly 28 years of combined service to the Commission and to the Association of Bay Area Governments, during which time he was a key member of the team of technology professionals who both literally and figuratively keep the agencies operating; and

WHEREAS, Bruce originally joined the ABAG staff in March 1995 through a hiring process managed by Atti Williams, and over the years worked as a computer technician, a senior network administrator and as a senior information technology specialist; and

WHEREAS, blessed with the rare gift of universal patience, Bruce cheerfully provided help whenever summoned to aid a colleague who had misused, mistreated or otherwise messed up his or her computer or who might simply have needed an upgrade; and Bruce invariably performed these services without raising his voice or finding fault with either computer or colleague, even if said colleague was a serial client incapable of remembering a password over the course of a long weekend, let alone a vacation, and who for the umpteenth time did the walk of shame over to Bruce's cubicle for a password reset; and

WHEREAS, the question of what Bruce actually did is one for which many answers are revealed, as during many of his ABAG years Bruce was one of just two full-time members of the Association's information technology team and thus provided desktop support while also performing a wide variety of other IT-related tasks that included ordering computer equipment, building out the server room, racking and configuring network equipment, performing operational maintenance and repairs on myriad types of hardware that may or may not have at least once included a toaster; and

WHEREAS, Bruce also would help colleagues set up home computer systems acquired through the ABAG computer purchase program, which was guided by a simple set of rules: buy whatever Bruce

tells you to buy and then attend a thrown-together brown bag session in the conference room, an easy-to-follow protocol that sadly fell out of use once it became cheaper to simply buy whole systems; and

WHEREAS, despite the changing economics of computer purchasing, Bruce remained a conservationist who unfailingly saved every piece of equipment just in case it might someday be needed and who then figured out innovative ways to reuse these items when they eventually could be found, whether in that doublewide cube with its own locking door, in the server room, or perhaps just right over there; who became known for ‘making it work’ by soldering network cables himself; and who also implemented the purchase of recycled printer cartridges, which led to significant cost savings and reduced waste; and

WHEREAS, Bruce earned an ‘A’ in a networking course at Laney College, despite attending class just once, which was long enough to demonstrate that he knew as much about networking as the instructor did and also long enough for Bruce to lead his fellow students on a short walk over to ABAG’s former headquarters location on Eighth Street in Oakland for a tour of the Association’s server room; and

WHEREAS, Bruce is an early-adopter of technology who quickly became a high-volume user of Slack and then brought much of the rest of the MTC-ABAG staff along with him; and

WHEREAS, despite his enthusiasm for Slack, Bruce also frequently was at the receiving end of good old-fashioned emails from colleagues seeking computer assistance, responding to 2,861 such requests in the five-year span from January 2017 through February 2022, while also frequently using Slack and Teamviewer during the COVID-19 pandemic to make sure people received the help they needed; and

WHEREAS, well known for his love of gadgets, Bruce brought much to the collective table, including an industrial-strength juicer for the morning juice club and an early-model portable convection oven used to prepare the roast turkey for several agency potlucks, an activity that proved effective in suffusing the office with the aroma of roasting poultry and in whetting his colleagues’ appetites; and

WHEREAS, Bruce once previously considered retirement before ABAG's 2016 move to San Francisco and the subsequent integration of the MTC and ABAG staff, going so far as to write a retirement letter before withdrawing it due to his fondness for his coworkers, his appreciation of the relationships he had formed over the years and his sincere enjoyment of helping people; now, therefore, be it

RESOLVED, that the staff and commissioners of MTC honor Bruce's dedicated service to the agency and to ABAG, thank him for his patience in resolving his colleagues' computer troubles and other technical issues over decades, and warmly extend to him and his wife Patti congratulations on making this retirement stick and offer best wishes for many years of good health, beautiful and bountiful work in their garden, and the enjoyment of more time spent with their four adult children and several grandchildren.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on February 22, 2023.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0236 **Version:** 1 **Name:**
Type: Report **Status:** Commission Approval
File created: 1/12/2023 **In control:** Metropolitan Transportation Commission
On agenda: 2/22/2023 **Final action:**
Title: Closing of Nominations and Election of Officers
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
Closing of Nominations and Election of Officers

Recommended Action:
Commission Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0316 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 2/1/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: Executive Director's Report

Sponsors:

Indexes:

Code sections:

Attachments: [11a_23-0316_MTC_02-22-23_Executive_Directors_Report.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Executive Director's Report

Recommended Action:
Information



EXECUTIVE DIRECTOR'S REPORT

Metropolitan Transportation Commission

February 22, 2023

Personnel:

- **Retirements**

- **Therese McMillan** – Therese joined MTC as the Executive Director in March 2019. Her last day with MTC was February 1, 2023, as the Executive Director in the Executive Office section.
- **Bruce Samar** retired from MTC's information technology team at the end of January after nearly 28 years of combined service with ABAG and MTC.

- **New Appointments**

- **YT Chang**- YT started with MTC on February 6th as the Project Manager-Express Lanes in the Field Operations and Asset Management section.
- **Tim McGowan**- Tim started with MTC on February 6th as an Associate, Budget and Grant Financial Analyst in the Budget and Financial Planning and Analysis section.
- **Grace Li**- Grace started with MTC on February 21st as a Financial Analyst in the Treasury and Revenue section.

Key Updates

- **Legal challenges to Senate Bill 595 and RM 3** filed in 2018 were dismissed by the California Supreme Court on January 25, 2023. BATA is awaiting final procedural orders from the state Court of Appeal, which should arrive shortly. We anticipate that the Authority will then be able to unlock the funds held in escrow and put them to work on long-needed projects to improve mobility and create new jobs across the Bay Area.
- The California State Transportation Agency (CalSTA) in late January awarded more than \$2.5 billion in grants through the state's **Transit and Intercity Rail Capital Program (TIRCP)**. MTC's endorsement for the awards focused on major transit capital projects that are leveraging federal funds and are either ongoing or nearing construction, a criterion that was incorporated into last year's state budget largely as result of advocacy led by MTC and partner transit agencies. In sum, the Bay Area secured 85 percent of funds available for projects outside Southern California, including \$375M for BART Silicon Valley (Phase 2), \$367M for Caltrain electrification, and \$250M for BART Transbay Core Capacity.
- **HCD recently awarded over \$192 million** to Bay Area cities and counties for affordable housing development as part of their Super NOFA (Notice of Funding Availability). Developers had applied for these funds in July 2022.
- Earlier in February, MTC, BCDC and Caltrans District 4 entered into a Partnership Agreement with CalSTA, the California Natural Resources Agency, and the California Department of Fish and Wildlife to develop and implement both near- and long-term projects to improve the **Highway 37 corridor linking U.S. 101 in Novato with**

Interstate 80 in Vallejo. This agreement puts transportation improvements and environmental health on the same page.

- This winter, MTC released four Calls for Projects to provide **grants that support implementation of Plan Bay Area 2050's** climate, housing, transportation, and economy goals. The specific grant programs – including links to the guidelines, virtual workshops, and application portals – are:
 - [Priority Development Area \(PDA\) Planning Grants](#) (applications due 2/23/23)
 - [Priority Production Area \(PPA\) Pilot Program](#) (applications due 2/23/23)
 - [Parking Management Planning Grants](#) (applications due 3/31/23)
 - [Mobility Hub Grants \(capital and planning\)](#) (applications due 3/31/23)

These Calls for Projects are part of \$73 million in funding approved by MTC as part of the OBAG 3 program to implement Plan Bay Area 2050's Growth Framework and Climate Initiatives.

Items to Note:

- BAHFA's **Affordable Housing Pipeline report and presentation** to the Joint Housing Committees got great press: KQED, NBC Bay Area, SFGate, the SF Business Times and the Solano County Daily Republic all covered the region's existing affordable housing pipeline and the potential for a 2024 housing bond.
- Earlier this month, the Bay Area legislative caucus invited MTC Director of Legislation and Public Affairs Rebecca Long, along with senior leaders of five transit operators (AC Transit, BART, Caltrain, Muni & VTA) to present on the **financial challenges facing the region's transit agencies**. Bay Area legislators urged caution and pragmatism given the state's budget deficits; staff are taking these words of caution into consideration as we formulate our multi-year budget request.

Looking Ahead:

- An MTC/ABAG delegation will visit Sacramento February 28 – March 1 to meet with state leaders and advocate for **MTC/ABAG's joint 2023 state advocacy priorities**. Topics of discussion include a request for state assistance to mitigate impending transit operations fiscal cliffs and Assembly Housing Committee Chair Buffy Wicks' AB 1319 BAHFA clean-up bill.
- We are looking forward to welcoming all Commissioners back to 375 Beale in person for the March Committee and Commission meetings!



Alix A. Bockelman



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0347 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 2/3/2023 **In control:** Metropolitan Transportation Commission

On agenda: 2/22/2023 **Final action:**

Title: Minutes of the January 30, 2023 Special Commission meeting

Sponsors:

Indexes:

Code sections:

Attachments: [13a_23-0347_January_30_2023_Draft_Commission_Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Minutes of the January 30, 2023 Special Commission meeting

Recommended Action:

Commission Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Monday, January 30, 2023

9:00 AM

HYBRID (In-Person Option Available)

Special Meeting

Chair Pedroza called the meeting to order at 9:01 a.m.

1. Roll Call / Confirm Quorum

Present: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering, and Commissioner Thao

Non-Voting Commissioners Present: Commissioner El-Tawansy and Commissioner Giacomini

2. Pledge of Allegiance/ Acknowledgement of the Flag

3. Compensation Announcement

4. Closed Session

Commissioner Papan and Commissioner Rabbitt arrived during agenda item 4.

4a. [23-0270](#) Closed Session Public Comment

4b. [23-0271](#) Closed Session: PUBLIC EMPLOYEE APPOINTMENT

Executive Director (California Government Code Section 54957)

4c. [23-0272](#) Open Session: Executive Director Appointment

Action: Commission Approval

5. Public Comment / Other Business

6. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. on Wednesday, February 22, 2023. Any changes to the schedule will be duly noticed to the public.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0042 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 11/29/2022 **In control:** Programming and Allocations Committee
On agenda: 2/8/2023 **Final action:**
Title: MTC Resolution No. 4545, Revised. 2023 Transportation Improvement Program (TIP) Amendment 2023-05.

Sponsors:

Indexes:

Code sections:

Attachments: [13b 23-0042 MTC Resolution 4545 TIP Amendment 2023-05.pdf](#)
[2b 23-0042 MTC Resolution 4545 TIP Amendment 2023-05.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4545, Revised. 2023 Transportation Improvement Program (TIP) Amendment 2023-05.

Presenter:

Adam Crenshaw

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee****February 8, 2023****Agenda Item 2b - 23-0042****MTC Resolution No. 4545, Revised**

Subject:

2023 Transportation Improvement Program (TIP) Amendment 2023-05.

Background:

The federally required TIP is a comprehensive listing of Bay Area surface transportation projects that receive federal funds, are subject to a federally required action or are regionally significant. As required by state statutes, MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP every two years. The 2023 TIP, covering the four-year period from FY 2022-23 through 2025-26, was adopted by the Commission on September 28, 2022, and was approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on December 16, 2022. The 2023 TIP is valid for four years under federal regulations. The TIP may be revised to make necessary changes prior to the next update. The TIP is posted on MTC's website at: <https://mtc.ca.gov/funding/transportation-improvement-program-tip>.

Amendment 2023-05 makes revisions to seven projects with a net funding increase of approximately \$10 million. Among other changes this revision will:

- Update the funding plan of Union City Transit's Electric Bus Procurement Program to reflect the award of \$9.3 million in Federal Transit Administration Low or No Emissions Vehicle Program discretionary funding; and
- Update the funding plans of six projects to reflect past or planned obligations of federal funding or changes in the project schedule.

The 2023 TIP is designed such that, once implemented, it makes progress toward achieving the performance targets established per federal regulations.

The revisions made pursuant to this amendment will not change the air quality conformity finding; therefore, a conformity determination is not required.

The TIP Revision Summary for this amendment is attached (Attachment 1) and is also posted at:
<https://mtc.ca.gov/funding/transportation-improvement-program-tip>.

The TIP public participation process also serves to satisfy the public involvement requirements of the FTA annual Program of Projects for applicable funds.

This amendment will be transmitted to Caltrans after Commission approval; Caltrans will then forward the amendment to FTA and FHWA for final federal agency review and approval.

Issues:

None

Recommendations:

Refer MTC Resolution No. 4545, Revised to the Commission for approval.

Attachments:

- Attachment 1: Summary Report of Amended Projects for TIP Amendment 2023-05
- MTC Resolution No. 4545, Revised

A handwritten signature in blue ink, reading "Alix A. Bockelman", with a long horizontal flourish extending to the right.

Alix A. Bockelman

TIP Revision Summary 2023-05

Attachment 1

TIP ID	Sponsor	Project Name	Description of Change	Funding Change (\$)	Funding Change (%)
System: Local Road					
ALA210014	Fremont	Fremont Blvd/Walnut Ave Protected Intersection	Update the funding plan to reprogram \$1.3M in STP and \$424K in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
ALA210015	Fremont	Fremont Blvd-Grimmer Blvd Protected Intersection	Update the funding plan to reprogram \$1.4M in STP and \$472K in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
NAP150003	Napa Valley Transportation Authority	Napa Valley Vine Trail Calistoga-St. Helena Seg.	Update the funding plan to reprogram \$2.2M in STP and \$2M in Local funds from FY23 to FY22 to reflect obligation	\$0	0.0%
NAP170006	American Canyon	Green Island Road Class I	Update the funding plan to change the program year and source for \$1M in CON funds from FY27 RTP-LRP to FY24 Local funds	\$0	0.0%
SM-070006	East Palo Alto	US 101 University Ave Interchange Improvements	Update the funding plan to reprogram \$206K in PE HPP, \$26K in PE Local, \$771K in CON HPP and \$4.9M in CON Sales Tax from FY21 to FY23	\$0	0.0%
System: State Highway					
VAR210007	Metropolitan Transportation Commission (MTC)	Bay Bridge Forward Preliminary Engineering	Update the funding plan to reprogram \$12M in CMAQ from FY24 to FY22 to reflect obligation	\$0	0.0%
System: Transit					
ALA190029	Union City Transit	Union City Transit Electric Bus Procurement	Update the funding plan to add \$9.3M in 5339 LoNo funds and \$728K in Local funds and change the program year and source for \$1.6M from FY27 RTP-LRP to FY23 Local	\$10,070,346	100.8%
Total Funding Change:				\$10,070,346	

TIP Revision Summary

	Federal	State	Regional	Local	Total	2023 TIP Only
Current:	\$31,737,600	\$0	\$343,242	\$18,482,080	\$50,562,922	\$19,788,000
Proposed:	\$41,079,946	\$0	\$343,242	\$19,210,080	\$60,633,268	\$18,573,846
Delta:	\$9,342,346	\$0	\$0	\$728,000	\$10,070,346	-\$1,214,154

Date: September 28, 2022
W.I.: 1512
Referred by: PAC
Revised: 12/21/22-C 02/22/23-C

ABSTRACT

Resolution No. 4545, Revised

This resolution adopts the 2023 Transportation Improvement Program (TIP) for the San Francisco Bay Area. Supporting documents as listed in Attachment A.

Subsequent revisions are listed below and described further in Attachment B to this resolution.

Further discussion of the 2023 TIP adoption and subsequent revisions is contained in the Programming & Allocations Committee summary sheets dated September 14, 2022, December, 14, 2022, and February 8, 2023.

2023 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
2023-01	Admin. Mod.	64	\$436,237,661	01/12/2023	01/12/2023
2023-02	Amendment	35	\$86,051,248	12/21/2022	Pending
2023-03	Admin. Mod	Pending	Pending	Pending	Pending
2023-04	Admin. Mod	Pending	Pending	Pending	Pending
2023-05	Amendment	7	\$10,070,346	02/22/2023	Pending
Net Funding Change		106	\$532,359,255		
Absolute Funding Change			\$532,359,255		

Date: September 28, 2022
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2023 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4545

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

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, Section 65074 of the California Government Code requires all state MPOs to update their TIPs concurrently every even year; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised), which establish the Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.326(k)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.326) require that the TIP be designed such that once implemented, it makes progress toward achieving the performance targets established under §450.306(d) and that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.332(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and

WHEREAS, MTC has found in MTC Resolution No. 4544 that the 2023 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM_{2.5} SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2023 TIP, attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2023 TIP in cooperation with the Bay Area County Transportation Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies and interested stakeholders, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and U.S. EPA; and, be it further

RESOLVED, that the 2023 TIP was developed in accordance with the region's Public Participation Plan and consultation process (MTC Resolution No. 4174, Revised) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2023 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2023 TIP is financially constrained, by year, to reasonable estimates of available federal, state, and local transportation funds; and, be it further

RESOLVED, that the 2023 TIP makes progress toward achieving the performance targets established under §450.306(d); and, be it further

RESOLVED, that MTC approves the EPSP developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by federal regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public participation process conducted for the 2023 TIP satisfies the public involvement requirements of the FTA annual Program of Projects; and, be it further

RESOLVED, that the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or provisions in federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised); and, be it further

RESOLVED, that MTC finds that the 2023 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and to the emissions test for the national fine particulate matter standard (MTC Resolution No. 4544); and, be it further

RESOLVED, that the projects and programs included in the 2023 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further

RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2023 TIP are consistent with Plan Bay Area 2050 (the Regional Transportation Plan including the Sustainable Communities Strategy for the San Francisco Bay Area) and, be it further

RESOLVED, that revisions to the 2023 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in the public participation plan and in MTC Resolution No. 4545, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757, Revised) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by Caltrans, and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that a copy of this resolution shall be made available upon request to FHWA, the FTA, U.S. EPA, Caltrans, the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a horizontal line extending to the right.

Alfredo Pedroza, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
San Francisco, California, on September 28, 2022.

Date: September 28, 2022
W.I.: 1512
Referred by: PAC

Attachment A
Resolution No. 4545
Page 1 of 1

2023 Transportation Improvement Program

The 2023 Transportation Improvement Program (TIP) for the San Francisco Bay Area, adopted September 28, 2022, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2023 TIP for the San Francisco Bay Area
- TIP Overview
- Expedited Project Selection Process
- TIP Revision Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices
- 2023 TIP Investment Analysis
- 2023 TIP Federal Performance Report

Revisions to the 2023 Transportation Improvement Program

Revisions to the 2023 Transportation Improvement Program (TIP) will be included as they are approved.

Revision 2023-01 is an administrative modification that revises 64 projects with a net funding increase of approximately \$436 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on January 12, 2023. Among other changes, this revision:

- Updates the funding plan of the Transit Preventive Maintenance group listing to program \$7 million in Surface Transportation Block Grant (STP) funding and updates thirty-three projects to include changes in Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding that reflect planned obligations, actual obligations, and programming decisions;
- Updates the funding plans of nine individually listed projects to reflect the latest programming decisions in the Transit Capital Priorities (TCP) Program;
- Updates the funding plan of the Napa Valley Transportation Authority's Rolling Stock Replacement project to reflect the award of \$6.3 million in Federal Transit Administration (FTA) discretionary funding;
- Updates the funding plans and back-up listings of six State Highway Operation and Protection Program (SHOPP) funded group listings to reflect the latest information from Caltrans;
- Updates the funding plan and back-up listing of the Local Highway Bridge Program (HBP) to reflect the latest programming changes;
- Carries over six individual listed FTA funded projects and one FTA funded group listing from the 2021 TIP with no change in the scope, schedule, or funding;
- Updates the funding plans of two projects to reflect programming changes in the Active Transportation Program (ATP) and State Transportation Improvement Program (STIP); and
- Updates the funding plan of the SR 37 Interim Project – Sears Point to Mare Island project to reflect the programming of the National Highway Performance Program (NHPP) and STP funds.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$346 million in SHOPP funds, \$112.5 million in HBP funds, \$1.6 million in Proposition 1B funds, \$7 million in ATP funds, \$3 million in RIP-COVID21 funds, \$9 million in Road Repair and Accountability Act (SB1) funds, \$27,100 in repurposed earmark funds, \$460,000 in Community Project Funding/Congressionally Directed Spending (CPFCDS), \$17 million in NHPP funds, \$8.5 million in FTA-COVID relief funds and \$22 million in FTA discretionary funding. MTC's 2023 TIP, as revised with Revision No. 2023-01, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and

Attachment B
MTC Resolution No. 4545
Page 2 of 2

the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2023-02 is an amendment that revises 35 projects with a net funding increase of approximately \$86 million. The revision was referred by the Programming and Allocations Committee on December 14, 2022, and approved by the MTC Commission on December 21, 2022. Caltrans approval was received on January 9, 2023, and final federal approval is also expected in January. Among other changes, this revision:

- Amends three new Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects into the TIP, carry's forward one existing STP funded project from the 2021 TIP, and updates the funding plans of 21 STP/CMAQ funded projects to reflect recent obligations and programming decisions;
- Amends one new project into the TIP and updates the funding plan of one existing project to reflect changes in the Transit Capital Priorities Program; and
- Adds three new projects to reflect awards of Community Project Funding grants, repurposed earmark funds, and other federal programs.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2023-03 is a pending administrative modification.

Revision 2023-04 is a pending administrative modification.

Revision 2023-05 is an amendment that revises seven projects with a net funding increase of approximately \$10 million. The revision was referred by the Programming and Allocations Committee on February 8, 2023, and approved by the MTC Commission on February 22, 2023. Caltrans approval is expected in March, and final federal approval is expected in April. Among other changes, this revision:

- Updates the funding plan of Union City Transit's Electric Bus Procurement Program to reflect the award of \$9.3 million in Federal Transit Administration Low or No Emissions Vehicle Program discretionary funding; and
- Updates the funding plans of six projects to reflect past or planned obligations of federal funding or changes in the project schedule.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	23-0231	Version:	1	Name:	
Type:	Resolution	Status:		Consent	
File created:	1/11/2023	In control:		Programming and Allocations Committee	
On agenda:	2/8/2023	Final action:			
Title:	MTC Resolution No. 4412, Revised. Regional Measure 3 (RM3) Letter of No Prejudice of \$0.7 million to the Solano Transportation Authority for the I-80/680/SR-12 Interchange Project.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	13c_23-0231_MTC_Resolution_4412_RM3_LONP_I80-680-SR12_Interchange_Project.pdf 2c_23-0231_MTC_Resolution_4412_RM3_LONP_I80-680-SR12_Interchange_Project.pdf				

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4412, Revised. Regional Measure 3 (RM3) Letter of No Prejudice of \$0.7 million to the Solano Transportation Authority for the I-80/680/SR-12 Interchange Project.

Presenter:

Kenneth Kao

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee****February 8, 2023****Agenda Item 2c - 23-0231****MTC Resolution No. 4412, Revised**

Subject:

Regional Measure 3 (RM3) Letter of No Prejudice of \$0.7 million to the Solano Transportation Authority for the I-80/680/SR-12 Interchange Project.

Background:**Regional Measure 3 Letters of No Prejudice (LONP)**

Bay Area voters approved Regional Measure 3 (RM3) on June 5, 2018, and on December 19, 2018, the Bay Area Toll Authority (BATA) adopted a toll schedule phasing in the resulting toll increase. The first and second dollars of the toll increase were implemented on January 1, 2019 and January 1, 2022, respectively. RM3 is under litigation and collected RM3 revenue is being held in an escrow account. Given a recent ruling in the case, it is anticipated that RM3 funds will be accessible. However, this LONP is necessary pending the ability to release RM3 funds. In December 2019, MTC approved a Letter of No Prejudice (LONP) process as part of the overall RM3 Policies and Procedures to allow project sponsors to move projects forward with alternate funds, at-risk, while maintaining RM3 eligibility if and when RM3 funds are available.

Through MTC Resolution No. 4412, the Commission may approve specific RM3 LONPs, at the request of project sponsors, and following the RM3 Policies and Procedures. Details on each LONP request specifying the amount and scope for which RM3 eligibility will be preserved will be included in the attachments to the resolution.

I-80/680/SR-12 Interchange Project in Solano County

The Solano Transportation Authority (STA) submitted an RM3 LONP request for \$700,000 for the right-of-way phase of the I-80/680/SR-12 Interchange Initial Construction Package (ICP) Phase 2A project, part of RM3 project 21. The project widened the existing ramp from eastbound SR-12 to eastbound I-80 and improved safety by eliminating weaving on the I-80 ramps.

The project is now open to traffic. However, extended right-of-way negotiations related to the project have prolonged the right-of-way process. STA requires additional funds to cover right-of-way expenses related to the project. STA proposes to loan local funds to cover the right-of-way expenses, which could be repaid when RM3 funds can be allocated.

LONP Funding Source

The RM3 Policies and Procedures require that the project sponsor provides a non-RM3 source of funding to cover the portion that would be covered by RM3 funds, and that a plan be provided in case the RM3 funds never become available. In lieu of RM3 funds at this time, STA will use local funds for the right-of-way phase of the Interchange Phase 2A project. STA understands the risk that RM3 funds may never become available.

Staff have reviewed the Initial Project Reports and LONP request and recommend issuing an LONP. Issuing an LONP will preserve the eligibility of activities related to the above-mentioned project in Solano County occurring after the issuance of the LONP, for future RM3 allocation and reimbursement if RM3 legislation is resolved favorably.

An RM3 LONP does not represent a general funding commitment by MTC. In the event RM3 funds do not become available, there is no expectation that MTC or BATA will provide alternate funds.

Issues:

Staff recommends granting an exception for this LONP and allow reimbursable expenses effective one week before the Commission date, or February 15, 2023. Per legal order, STA must transmit payment by February 18; therefore, an earlier LONP effective date would allow STA to meet its legal obligations.

If the RM3 litigation is not resolved favorably, funds may never become available to reimburse STA. STA has acknowledged this risk in its agency resolution and MOU.

Recommendation:

Refer MTC Resolution No. 4412, Revised, to the Commission for approval.

Attachments:

- Attachment A: Project Area Map
- MTC Resolution No. 4412, Revised



Alix A. Bockelman

* Subject project shown in green.

Date:	March 25, 2020	
Referred by:	PAC	
Revised:	05/27/20-C	07/22/20-C
	10/28/20-C	12/16/20-C
	02/24/21-C	04/28/21-C
	06/23/21-C	07/28/21-C
	09/22/21-C	01/26/22-C
	02/23/22-C	03/23/22-C
	04/27/22-C	06/22/22-C
	11/16/22-C	02/22/23-C

ABSTRACT

MTC Resolution No. 4412, Revised

This resolution authorizes the Executive Director to issue Letters of No Prejudice for RM3 funds for eligible projects.

This resolution includes the following attachments:

Attachment A – Mission Bay Ferry Landing (WETA) LONP Summary

Attachment B – Goods Movement GoPort 7th Street Grade Separation (Alameda County Transportation Commission (ACTC)) LONP Summary

Attachment C – I-680/SR-84 Interchange Reconstruction and SR-84 Expressway Widening (ACTC) LONP Summary

Attachment D – I-80/680/SR-12 Interchange (Solano Transportation Authority) LONP Summary

Attachment E – US-101/I-580 Direct Connector (Transportation Authority of Marin) LONP Summary

Attachment F – SMART System Extension to Windsor and Healdsburg (SMART) LONP Summary

Attachment G – US-101 Marin-Sonoma Narrows Marin Segment Project (Transportation Authority of Marin) LONP Summary

Attachment H – I-680/SR-4 Interchange Improvement Phase 1 and 2A Project (Contra Costa Transportation Authority) LONP Summary

Attachment I – Mokelumne Trail Bicycle/Pedestrian Overcrossing of SR-4 Project (Contra Costa Transportation Authority) LONP Summary

Attachment J – SR-262 (Mission Blvd.) Cross Connector Project (Alameda County Transportation Commission) LONP Summary

- Attachment K – I-80 Westbound Truck Scales Project (Solano Transportation Authority)
LONP Summary
- Attachment L – US-101 Marin-Sonoma Narrows Project (Transportation Authority of
Marin) LONP Summary
- Attachment M – I-80 Express Lanes Project (Solano Transportation Authority) LONP
Summary
- Attachment N – Vine Transit Maintenance Facility (Napa Valley Transportation
Authority) LONP Summary
- Attachment O – I-80 Express Lanes Project Toll System (Bay Area Infrastructure
Financing Authority) LONP Summary
- Attachment P – I-680 Southbound Express Lane (ACTC) LONP Summary
- Attachment Q – Next Generation Clipper Regional Fare Payment System Integrator
(MTC) LONP Summary
- Attachment R – Highway 101/State Route 92 Interchange Area Improvement Project
(San Mateo County Transportation Authority) LONP Summary
- Attachment S – Highway 101/State Route 92 Interchange Direct Connector Project (San
Mateo County Transportation Authority) LONP Summary
- Attachment T – State Route 29 Improvement Project (Napa Valley Transportation
Authority) LONP Summary
- Attachment U – San José Diridon Station Project (Santa Clara Valley Transportation
Authority) LONP Summary

This resolution was revised by Commission Action on May 27, 2020 to add Attachments B and C, LONP Summaries for two RM3 projects sponsored by the Alameda County Transportation Commission (ACTC).

This resolution was revised by Commission Action on July 22, 2020 to add Attachments D and E, LONP Summaries for two RM3 projects sponsored by the Solano Transportation Authority (STA) and the Transportation Authority of Marin (TAM).

This resolution was revised by Commission Action on October 28, 2020 to add Attachment F, LONP Summary for an RM3 project sponsored by the Sonoma-Marín Area Rail Transit District (SMART).

This resolution was revised by Commission Action on December 16, 2020 to add Attachment G, LONP Summary for an RM3 project sponsored by the Transportation Authority of Marin (TAM).

This resolution was revised by Commission Action on February 24, 2021 to add Attachments H and I, LONP Summaries for two RM3 projects sponsored by the Contra Costa Transportation Authority (CCTA).

This resolution was revised by Commission Action on April 28, 2021 to add Attachment J, LONP Summary for SR-262 (Mission Blvd.) Cross Connector Project sponsored by the Alameda County Transportation Commission; Attachment K, LONP Summary for I-80 Westbound Truck Scales Project sponsored by the Solano Transportation Authority; Attachment L, LONP Summary for US-101 Marin-Sonoma Narrows Project sponsored by the Transportation Authority of Marin; and Attachment M, LONP Summary for I-80 Express Lanes Project sponsored by the Solano Transportation Authority.

This resolution was revised by Commission Action on June 23, 2021 to add Attachment N, LONP Summary for a project sponsored by the Napa Valley Transportation Authority (NVTa).

This resolution was revised by Commission Action on July 28, 2021 to amend Attachment M, LONP Summary for the I-80 Express Lanes Project in Solano County, and to add Attachment O, LONP Summary for the I-80 Express Lanes Toll System Project in Solano County.

This resolution was revised by Commission Action on September 22, 2021 to add Attachment P, LONP Summary for the I-680 Southbound Express Lanes Project in Alameda County.

This resolution was revised by Commission Action on January 26, 2022 to amend Attachment D, LONP Summary for the I-80/680/SR-12 Interchange Project in Solano County.

This resolution was revised by Commission Acton on February 23, 2022 to add Attachment Q, LONP Summary for the Next Generation Clipper Fare Payment System Integrator.

This resolution was revised by Commission Action on March 23, 2022 to add Attachment R, LONP Summary for the Highway 101/State Route 92 Interchange Area Improvement Project, and Attachment S, LONP Summary for the Highway 101/State Route 92 Interchange Direct Connector Project.

This resolution was revised by Commission Action on April 27, 2022 to add Attachment T, LONP Summary for the State Route 29 Improvement Project in Napa County.

This resolution was revised by Commission Action on June 22, 2022 to amend Attachment D, LONP Summary for the I-80/680/SR-12 Interchange Project in Solano County.

This resolution was revised by Commission Action on November 16, 2022 to add Attachment U, LONP Summary for the San José Diridon Station Project in Santa Clara County.

This resolution was revised by Commission Action on February 22, 2023 to amend Attachment D, LONP Summary for the I-80/680/SR-12 Interchange Project in Solano County.

Additional discussion of this allocation is contained in the Programming and Allocations Committee Summary sheets dated March 11, 2020, May 13, 2020, July 10, 2020, October 14, 2020, December 9, 2020, February 10, 2021, April 14, 2021, June 9, 2021, July 14, 2021, September 8, 2021, January 12, 2022, February 9, 2022, March 9, 2022, April 13, 2022, June 8, 2022, November 9, 2022, and February 8, 2023.

Date: March 25, 2020
W.I.: 1255
Referred by: PAC

Re: Authorization to Issue Letters of No Prejudice for Regional Measure 3 Funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4412

WHEREAS, pursuant to Government Code Section 66500 *et seq.*, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; 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, the Bay Area Toll Authority (“Authority”) 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, on December 19, 2018, the Authority adopted Resolution No. 128 adopting a toll schedule phasing in the toll increase approved pursuant to RM3, effective on January 1, 2019; 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

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); and

WHEREAS, the RM3 Policies and Procedures established a process whereby eligible transportation project sponsors may request a Letter of No Prejudice (LONP) for Regional Measure 3 funding; and

WHEREAS, the Attachments to this resolution, attached hereto and incorporated herein as though set forth at length, list the scope, amount, and conditions for which project sponsors have requested an LONP, and the replacement funding source used in place of RM3 funds; and

WHEREAS, the claimants to which an LONP is issued under this resolution have certified that the projects and purposes listed and recorded the Attachments are in compliance 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 the LONP requests for the projects listed in the Attachments; and be it further

RESOLVED, that MTC authorizes the Executive Director to issue LONPs in accordance with the amount and activities as set forth in the Attachments; and, be it further

RESOLVED, that future allocation and reimbursement with RM3 funds will be conditioned upon successful outcome of RM3 litigation; and, be it further

RESOLVED, that future allocation and reimbursement with RM3 funds will be conditioned upon compliance with the provisions of the RM3 Policies and Procedures as set forth in length in MTC Resolution No. 4404; and be it further

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

RESOLVED, that project sponsors receiving an LONP are responsible for delivering the usable project segment or complete phase with alternate funds before RM3 funds are available, at risk to the project sponsor; and be it further

RESOLVED, that an RM3 LONP does not represent a general funding commitment by MTC; in the event that RM3 funds do not become available, there is no expectation that MTC or BATA will provide alternate funds; and be it further

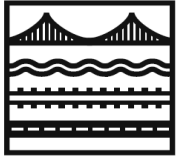
RESOLVED, that a certified copy of this resolution and applicable attachments shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California, on March 25, 2020.

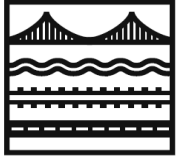


Regional Measure 3

Letter of No Prejudice Project Summary

Project Information

RM3 Project Number	21	
Project Title	I-80/680/SR-12 Interchange Project	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Solano Transportation Authority (STA)		STA/ Caltrans
Legislated Project Description	RM3 Legislated Funding (in \$1,000s)	
(21) Solano County Interstate 80/Interstate 680/State Route 12 Interchange Project. Construct Red Top Road interchange and westbound Interstate 80 to southbound Interstate 680 connector. The project sponsor is the Solano Transportation Authority. One hundred fifty million dollars (\$150,000,000).	\$150,000	
Sponsor Programming and LONP Request Action		
The STA Board approved STA Resolution No. 2020-03 on 6/10/2020, approving a \$16,700,000 RM3 LONP request. STA will use State Transportation Improvement Program (STIP) funds to begin construction on Phase 2A of the Interchange project. The STA Board also approved STA Resolution No. 2021-21 on 12/8/2021, approving a \$375,000 RM3 LONP request. STA will use local funds. The STA Board also approved STA Resolution No. 2022-05 on 5/11/2022, approving a \$800,000 RM3 LONP request. STA will use local funds.		
Detailed Project Description		
The Interchange Phase 2A project will 1) remove the existing eastbound SR 12W to eastbound I-80 connector; 2) construct a new two-lane highway alignment and bridge structure for the eastbound SR 12W to eastbound I-80; 3) construct the off-ramp from eastbound SR 12W to Green Valley Road; and 4) construct a braided ramp connection for eastbound I-80 to Green Valley Road and southbound I-680.		
LONP Phase	LONP Amount (in \$1,000s)	LONP Approval Date
CON	\$16,700	22-Jul-20
ROW	\$375	26-Jan-22
ROW	\$800	22-Jun-22
ROW	\$700	22-Feb-23 (Effective 15-Feb-23)
Scope - Activities eligible for future allocation and reimbursement if RM3 funds become available		
The LONP preserves future RM3 eligibility for costs related to construction of the Solano Interchange Phase 2A project incurred after the LONP approval dates (with one exception for the 2/22/23 LONP noted above).		
Conditions - In addition to the successful outcome of RM3 litigation, eligibility for future allocation and reimbursement is conditioned upon the following:		
1 Repaid RM3 funds (for the Construction phase LONP) will be committed to the Solano I-80 Managed Lanes funding plan.		



Regional Measure 3

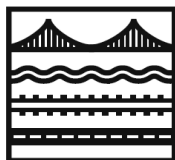
Letter of No Prejudice Project Summary

Project Funding Plan and Schedule

July 22, 2020
 Attachment D
 MTC Resolution No. 4412
 Revised: 01/26/22-C; 06/22/22-C
 02/22/23-C
 Page 2 of 2

RM3 Project Number	21
Project Title	I-80/680/SR-12 Interchange Project
RM3 Replacement Funding Source	State Transportation Improvement Program (STIP), Local Funds

Project Funding Plan				Project Schedule	
Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV				Oct-02	Dec-12
	ENV Subtotal		\$ -		
PSE	Bridge Tolls	Yes	\$ 1,500	Jun-18	Jun-20
	State Transportation Improvement Program	Yes	\$ 9,000		
	PSE Subtotal		\$ 10,500		
ROW	Bridge Tolls	Yes	\$ 5,200	Mar-19	Dec-22
	Local Funds (RM3 replacement)	Yes	\$ 1,875		
	STIP Funds	Yes	\$ 3,200		
	ROW Subtotal		\$ 10,275		
CON	SB1- Trade Corridor Enhancement Program	Yes	\$ 53,200	Sep-20	Dec-22
	Bridge Tolls	Yes	\$ 7,100		
	STIP (RM3 replacement)	Yes	\$ 16,700		
	CON Subtotal		\$ 77,000		
Capital Funding Total			\$ 97,775		

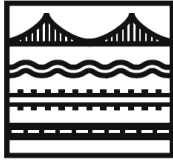


Regional Measure 3

Letter of No Prejudice Project Summary

Project Information

RM3 Project Number	25.1	
Project Title	US-101/I-580 Direct Connector Project	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Transportation Authority of Marin		TAM
Legislated Project Description		RM3 Legislated Funding (in \$1,000s)
(25) Richmond-San Rafael Bridge Access Improvements. Fund eastbound and westbound improvements in the Richmond-San Rafael Bridge corridor, including a direct connector from northbound Highway 101 to eastbound Interstate 580, westbound access and operational improvements in the vicinity of the toll plaza east of the bridge in Contra Costa County, and Richmond Parkway interchange improvements. Of the amount allocated to this project, one hundred thirty-five million dollars (\$135,000,000) shall be dedicated to the direct connector from northbound Highway 101 to eastbound Interstate 580 in Marin County and seventy-five million dollars (\$75,000,000) shall be dedicated to the projects in Contra Costa County. The project sponsors are the Bay Area Toll Authority, the Contra Costa Transportation Authority, and the Transportation Authority of Marin. Two hundred ten million dollars (\$210,000,000).		\$135,000
Sponsor Programming and LONP Request Action		
TAM's Board approved TAM Resolution No. 2020-05 on 1/23/2020, approving a \$5,600,000 RM3 LONP request.		
Detailed Project Description		
The Project proposes to construct a direct connection route between northbound US 101 to eastbound I-580 accessing the Richmond-San Rafael Bridge for travel toward Contra Costa County.		
LONP Phase	LONP Amount (in \$1,000s)	LONP Approval Date
Planning and Environmental	\$5,600	22-Jul-20
Scope - Activities eligible for future allocation and reimbursement if RM3 funds become available		
The LONP preserves future RM3 eligibility for costs related to the planning and environmental document phases of the US-101/I-580 Direct Connector project incurred after the LONP approval date.		
Conditions - In addition to the successful outcome of RM3 litigation, eligibility for future allocation and reimbursement is conditioned upon the following:		
1	None	



Regional Measure 3

Letter of No Prejudice Project Summary

Project Funding Plan and Schedule

July 22, 2020
Attachment E
MTC Resolution No. 4412
Page 2 of 2

RM3 Project Number	25.1
Project Title	US-101/I-580 Direct Connector Project
RM3 Replacement Funding Source	Measure A, TAM's Local Option Sales Taxes

Project Funding Plan				Project Schedule	
Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV	TAM Measure Funds	Yes	\$ 1,050	Apr-19	Dec-23
	TAM Measure Funds (RM3 Replacement)	Yes	\$ 5,600		
	ENV Subtotal		\$ 6,650		
PSE	Regional Measure 3	No	\$ 7,500	Jan-24	Dec-25
	PSE Subtotal		\$ 7,500		
ROW	Regional Measure 3	No	\$ 13,900	Jan-24	Nov-25
	ROW Subtotal		\$ 13,900		
CON	Regional Measure 3	No	\$ 108,000	Mar-26	Dec-27
	CON Subtotal		\$ 108,000		
Capital Funding Total			\$ 136,050		



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #:	23-0251	Version:	1	Name:	
Type:	Resolution	Status:		Consent	
File created:	1/18/2023	In control:		Programming and Allocations Committee	
On agenda:	2/8/2023	Final action:			
Title:	MTC Resolution No. 4505, Revised. Revisions to the One Bay Area Grant program (OBAG 3) to direct \$20 million within the Climate Initiatives program to MTC for Regional e-Bikeshare Expansion.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	13d_23-0251_MTC_Resolution_4505_OBAG3_Revisions_BayWheels_Bikeshare.pdf 2d_23-0251_MTC_Resolution_4505_OBAG3_Revisions_BayWheels_Bikeshare.pdf				

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4505, Revised. Revisions to the One Bay Area Grant program (OBAG 3) to direct \$20 million within the Climate Initiatives program to MTC for Regional e-Bikeshare Expansion.

Presenter:

Mallory Atkinson

Recommended Action:

Commission Approval

Metropolitan Transportation Commission

February 22, 2023

Agenda Item 13d - 23-0251

MTC Resolution No. 4505, Revised – Additional Revision

Subject:

Additional revision the One Bay Area Grant program (OBAG 3) to reflect the proposed scope of work for MTC's ongoing Regional Carpool/Vanpool Program.

Background:

Revisions to the OBAG 3 program, MTC Resolution No. 4505, were presented to the Programming and Allocations Committee on February 8, 2023 and referred to the full Commission for approval.

MTC staff is preparing to obligate federal funds for continued operation of the vanpool component of the Regional Carpool/Vanpool Program. However, the inclusion of vanpool in the program is not apparent in the resolution as currently adopted. Revising the resolution this month to clarify the vanpool component of the proposed scope, allows staff to access funding in a timely manner and without undue interruption to vanpool operations this spring. There is no change to the Regional Carpool/Vanpool Program funding amount.

Staff recommends the Commission approve MTC Resolution No. 4505, Revised as referred to the Commission by PAC, with the following change:

- Revise the name MTC's Regional Carpool Program to Regional Carpool/Vanpool Program to reflect the full scope of work proposed for this ongoing program.

This revision has been incorporated into MTC Resolution No. 4505, Revised, where appropriate.

Issues:

None identified.

Recommendations:

Approve MTC Resolution No. 4505, Revised.

Attachment:

MTC Resolution No. 4505, Revised, Attachment B-1

A handwritten signature in blue ink, reading "Alix A. Bockelman", followed by a long horizontal flourish line.

Alix A. Bockelman

Date: January 26, 2022
W.I.: 1512
Referred by: PAC
Revised: 02/23/22-C 03/23/22-C 06/22/22-C
09/28/22-C 10/26/22-C 11/16/22-C
01/25/23-C 02/22/23-C

ABSTRACT

Resolution No. 4505, Revised

Adoption of the project selection and programming policies for the third round of the One Bay Area Grant program (OBAG 3). The project selection and programming policies contain the project categories that are to be funded with various fund sources, including federal surface transportation act funding assigned to MTC for programming, to implement the Regional Transportation Plan (*Plan Bay Area 2050*) and to be included in the federal Transportation Improvement Program (TIP) for the OBAG 3 funding delivery period.

The resolution includes the following attachments:

- Attachment A – OBAG 3 Project Selection and Programming Policies
- Attachment B – OBAG 3 Project Lists

With the adoption of the project selection and programming policies, Attachments B-1 and B-2 program \$8,300,000 to Regional Planning Activities, \$37,200,000 for OBAG 3 Program and Project Implementation, and \$4,000,000 for Program and Project Implementation for transit transformation activities within the Planning and Program Implementation Regional Program; and \$35,157,000 for CTA Planning Activities within the Planning and Program Implementation County & Local Program.

On February 23, 2022, Attachment B-1 was revised to program \$30,000,000 in OBAG 3 Regional Multimodal Systems Operations and Performance Program funds to the Clipper C2 Capital project as part of an alternative funding plan for the project's Regional Measure 3 (RM3) funds.

On March 23, 2022, Appendix A-1 was added to incorporate guidelines for the County and Local Program call for projects.

On June 22, 2022, Attachments A, B-1, B-2, and Appendix A-1 were revised to further define program categories and program \$80,800,000 million to various projects within the Regional Program, including \$31,600,000 for Transit Transformation Action Plan programs and \$7

ABSTRACT

MTC Resolution No. 4505, Revised

Page 2

million for future SamTrans projects as part of a Caltrain right-of-way (ROW) repayment arrangement; program \$11,762,000 for ongoing Safe Routes to School Non-Infrastructure programs within the County & Local Program; add \$7,000,000 in additional anticipated revenues to the Regional Program; and clarify language related to local policy requirements and project eligibilities within the County & Local Program.

On September 28, 2022, Attachments B-1 and B-2 were revised to program \$14,000,000 to 511 Traveler Information Services within the Regional Travel Demand Management (TDM) Program, \$1,280,000 in the Regional Vision Zero/Safety Program for Local Roadway Safety Plan Development, \$2,500,000 for Bay Trail Planning, Delivery, and Technical Assistance projects within the Regional Active Transportation Plan Implementation Program, and \$86,900,000 to various projects within the Multimodal Systems Program; assign \$7,000,000 in Multimodal Systems Program funds previously committed to SamTrans as part of MTC's Caltrain Right-of-Way repayment to SamTrans' Preventative Maintenance project; and add \$620,000 in County & Local Program funds to San Mateo C/CAG's Safe Routes to School Non-Infrastructure Program project.

On October 26, 2022, Attachments B-1 and B-2 were revised to program \$43,800,000 within the Climate Initiatives Program, \$25,000,000 within the Growth Framework Implementation program, \$18,166,000 in County & Local Program for CTA Planning Activities, and \$7,613,000 in County & Local Program funds to Alameda County Transportation Commission's Safe Routes to School Non-Infrastructure Program.

On November 16, 2022, Attachment B-1 was revised to program \$6,000,000 from the Regional Active Transportation Plan Implementation balance to two Bay Skyway projects: \$1,900,000 to MTC's West Oakland Link and \$4,100,000 to SFCTA's Yerba Buena Island Multi-Use Path.

On January 11, 2023, Attachments B-1 and B-2 and Appendix A were revised to program \$301,682,000 in County & Local Program funds to various projects throughout the region, and \$300,000 to MTC's Active Transportation Technical Assistance Program within the Regional Complete Streets and Community Choice Program; and to clarify programming policy requirements for OBAG 3 projects involved in local fund exchanges.

On February 22, 2023, Attachment B-1 was revised to direct \$20,000,000 within the Climate Initiatives program to MTC for Bay Wheels Bikeshare E-Bike Expansion; **and revise the name**

ABSTRACT

MTC Resolution No. 4505, Revised

Page 3

of MTC's Regional Carpool Program to Regional Carpool/Vanpool Program to reflect the full scope of the program.

Further discussion of the project selection criteria and programming policy is contained in memorandums to the Programming and Allocations Committee dated January 12, 2022, February 9, 2022, March 9, 2022, June 8, 2022, September 14, 2022, October 12, 2022, November 9, 2022, January 11, 2023, and February 8, 2023.

Date: January 26, 2022
W.I.: 1512
Referred by: PAC

RE: One Bay Area Grant Program (OBAG 3) Project Selection and Programming Policies

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4505

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC, as the RTPA/MPO for the San Francisco Bay Area, is assigned programming and project selection responsibilities for certain state and federal funds; and

WHEREAS, state and federal funds assigned for RTPA/MPO programming discretion are subject to availability and must be used within prescribed funding deadlines; and

WHEREAS, the California Department of Transportation (Caltrans) Obligation Authority (OA) Management Policy allows RTPAs and MPOs to exchange regional Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), and other federal funds assigned to the RTPA or MPO with Caltrans and other regions, when a region or Caltrans-managed local program has excess or insufficient apportionment available to deliver its annual federal program; and

WHEREAS, Title 23 CFR § 630, Subpart G, allows the advancement of federal-aid projects and expenditure of eligible costs prior to the obligation of funds (referred to as “Advance Construction” or “AC”) with reimbursement of eligible expenditures permitted following conversion of the AC to a regular obligation; and

WHEREAS, MTC, in cooperation with transit operators, Caltrans, the Bay Area Air Quality Management District (BAAQMD), Bay Area County Transportation Agencies (CTAs), counties, cities, and interested stakeholders, has developed policies and procedures to be used in

the selection of projects to be funded with various funding including regional federal funds as set forth in Attachments A and B of this Resolution, incorporated herein as though set forth at length; and

WHEREAS, using the policies set forth in Attachment A of this Resolution, MTC, in cooperation with the Bay Area Partnership and interested stakeholders, will develop a program of projects to be funded with these funds for inclusion in the federal TIP, as set forth in Attachment B of this Resolution, incorporated herein as though set forth at length; and

WHEREAS the federal TIP and subsequent TIP revisions and updates are subject to public review and comment; now therefore be it

RESOLVED that MTC approves the “Project Selection and Programming Policies” for projects to be funded in the OBAG 3 program as set forth in Attachments A and B of this Resolution; and be it further

RESOLVED that the funds assigned to MTC as the RTPA/MPO for programming and project selection shall be pooled and distributed on a regional basis for implementation of project selection criteria, policies, procedures, and programming, consistent with implementation of the Regional Transportation Plan (RTP); and be it further

RESOLVED that the projects will be included in the federal TIP subject to final federal approval and requirements; and be it further

RESOLVED that the Executive Director or designee may make technical adjustments and other non-substantial revisions, including changes to project sponsor, updates to fund sources and distributions to reflect final funding criteria and availability; and be it further


RESOLVED that the Executive Director or designee is authorized to revise Attachment B as necessary to reflect the programming of projects as the projects are selected, revised, and included in the federal TIP; and be it further

RESOLVED that the Executive Director or designee is authorized to execute Advance Construction (AC) Authorizations with Caltrans and/or the Federal Highway Administration (FHWA) for federal projects sponsored or implemented by the Metropolitan Transportation Commission; and be it further

RESOLVED that the Executive Director or designee is authorized to execute agreements and Letters/Memorandums of Understanding with Caltrans and other MPOs and RTPAs for the exchange of regional Surface Transportation Block Grant Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) and other federal funds assigned to MTC for programming discretion, consistent with Caltrans' Obligation Authority (OA) Management Policy; and be it further

RESOLVED that the Executive Director or designee shall make available a copy of this resolution, and attachments as may be required and appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

A handwritten signature in dark ink, appearing to be 'AP' followed by a long horizontal stroke.

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California and at other remote locations on January 26, 2022.

Attachment B-1
MTC Resolution No. 4505
OBAG 3 Regional Programs
FY 2022-23 through FY 2025-26
February 2023

MTC Res. No. 4505 Attachment B-1
 Adopted: 01/26/22-C
 Revised: 02/23/22-C 06/22/22-C 09/28/22-C 10/26/22-C 11/16/22-C
 01/25/23-C 02/22/23-C

OBAG 3 Regional Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	Total STP/CMAQ	Total Other
OBAG 3 REGIONAL PROGRAMS		\$382,000,000	\$60,000,000
1. PLANNING AND PROGRAM IMPLEMENTATION			
Planning and Program Implementation			
Regional Planning Activities	MTC	\$8,300,000	
Program and Project Implementation	MTC	\$37,200,000	
Program and Project Implementation - Transit Transformation	MTC	\$4,000,000	
1. PLANNING AND PROGRAM IMPLEMENTATION		\$49,500,000	
2. GROWTH FRAMEWORK IMPLEMENTATION			
Growth Framework Implementation			
PDA Planning and Technical Assistance Grants	TBD	\$23,000,000	
Priority Production Area (PPA) Pilot Program	TBD	\$2,000,000	
2. GROWTH FRAMEWORK IMPLEMENTATION		\$25,000,000	
3. CLIMATE, CONSERVATION, AND RESILIENCE			
Climate Initiatives			
Mobility Hubs	TBD	\$12,800,000	\$20,000,000
Electric Vehicles and Infrastructure (Revised)	TBD	\$5,000,000	\$40,000,000
Bay Wheels Bikeshare E-bike Expansion (Added)	MTC	\$20,000,000	
Parking Management	TBD	\$6,000,000	
Regional Transportation Demand Management (TDM)			
Commuter Benefits Program	MTC	\$10,000,000	
Regional Carpool/Vanpool Program	MTC	\$3,400,000	
Bike to Work & Spare the Air Youth	MTC	\$4,800,000	
511 Traveler Information Services	MTC	\$14,000,000	
Regional TDM Balance	MTC	\$4,000,000	
Priority Conservation Area (PCA) Grant Program			
PCA Grant Program	TBD	\$18,000,000	
3. CLIMATE, CONSERVATION, AND RESILIENCE		\$98,000,000	\$60,000,000
4. COMPLETE STREETS AND COMMUNITY CHOICE			
Healthy, Safe, and Sustainable Streets			
Regional Vision Zero/Safety Program			
Local Roadway Safety Plan Development & TA Balance	MTC	\$2,720,000	
CCTA: Local Roadway Safety Plan Development	MTC	\$630,000	
NVTA: Local Roadway Safety Plan Development	MTC	\$250,000	
C/CAG: Local Roadway Safety Plan Development	MTC	\$400,000	
Bay Area Vision Zero Data System	MTC	\$2,000,000	
Regional Safety Program Coordination and Outreach	MTC	\$2,000,000	
Regional Pavement & Asset Management Program			
Pavement Technical Assistance Program (PTAP)	MTC	\$10,000,000	
Pavement Management Program (PMP)	MTC	\$3,000,000	
Regional Active Transportation Plan (AT Plan) Implementation			
Active Transportation Technical Assistance Program	MTC	\$300,000	
Bay Trail Planning	MTC	\$1,500,000	
Bay Trail Project Delivery	MTC	\$750,000	
Bay Trail Technical Assistance	MTC	\$250,000	
Bay Skyway: West Oakland Link	MTC	\$1,900,000	
Bay Skyway: Yerba Buena Island Multi-Use Path	SFCTA	\$4,100,000	
Regional AT Plan Implementation Balance	TBD	\$6,200,000	
Community Choice			
ACTC: Community-Based Transportation Plans	MTC	\$600,000	
CCTA: Community-Based Transportation Plans	MTC	\$450,000	
TAM: Community-Based Transportation Plans	MTC	\$150,000	
NVTA: Community-Based Transportation Plans	MTC	\$150,000	
SFCTA: Community-Based Transportation Plans	MTC	\$370,000	
C/CAG: Community-Based Transportation Plans	MTC	\$245,000	
VTA: Community-Based Transportation Plans	MTC	\$600,000	

Attachment B-1
MTC Resolution No. 4505
OBAG 3 Regional Programs
FY 2022-23 through FY 2025-26
February 2023

MTC Res. No. 4505 Attachment B-1
 Adopted: 01/26/22-C
 Revised: 02/23/22-C 06/22/22-C 09/28/22-C 10/26/22-C 11/16/22-C
 01/25/23-C 02/22/23-C

OBAG 3 Regional Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	Total STP/CMAQ	Total Other
OBAG 3 REGIONAL PROGRAMS		\$382,000,000	\$60,000,000
STA: Community-Based Transportation Plans	MTC	\$190,000	
SCTA: Community-Based Transportation Plans	MTC	\$245,000	
Project implementation, technical assistance, engagement	TBD	\$15,000,000	
4. COMPLETE STREETS AND COMMUNITY CHOICE		\$54,000,000	
5. MULTIMODAL SYSTEMS OPERATIONS AND PERFORMANCE			
Transit Transformation Action Plan			
Transit Priority - Highway Investments	MTC	\$13,000,000	
Transit Priority - Arterial Investments	TBD	\$15,000,000	
Mapping & Wayfinding	TBD	\$3,600,000	
Multimodal Systems Programs			
Clipper C2 Capital (Loan for RM3)	MTC	\$30,000,000	
Forward Programs	MTC	\$23,000,000	
Resilient SR 37	MTC	\$10,000,000	
Design Alternative Assessments/Corridor Studies	MTC	\$4,000,000	
Adaptive Ramp Metering Implementation	MTC	\$4,000,000	
Optimized Freeway Corridor Operations	MTC	\$6,000,000	
Multimodal Arterial Operations	MTC	\$6,500,000	
Shared Connected/Automated Vehicles and Technology	MTC	\$1,000,000	
Regional ITS Architecture	MTC	\$2,000,000	
Express Lanes Studies and Pilots (Non-Infrastructure)	MTC	\$2,000,000	
Connected Bay Area/Incident Management	MTC	\$28,400,000	
SamTrans Preventative Maintenance (for SamTrans ROW Repayment)	SamTrans	\$7,000,000	
5. MULTIMODAL SYSTEMS OPERATIONS AND PERFORMANCE		\$155,500,000	
OBAG 3 REGIONAL PROGRAMS	TOTAL:	\$382,000,000	\$60,000,000

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**Metropolitan Transportation Commission
Programming and Allocations Committee**

February 8, 2023

Agenda Item 2d - 23-0251

MTC Resolution No. 4505, Revised

Subject:

Revisions to the One Bay Area Grant program (OBAG 3) to direct \$20 million within the Climate Initiatives program to MTC for Bay Wheels Bikeshare E-bike Expansion.

Background:

The OBAG 3 program adopted by the Commission establishes the policy and programming framework for investing federal Surface Transportation Block Grant Program (STP) and Congestion Mitigation and Air Quality Improvement program (CMAQ) funds for FY 2022-23 through FY 2025-26.

In October 2022, the Commission programmed a total of \$113 million in federal STP/CMAQ and Carbon Reduction Program (CRP) funds towards MTC's Climate Initiatives programs, including \$65 million for Electric Vehicles and Infrastructure, as detailed in **Table 1** below.

Table 1. Climate Initiatives (As Approved, October 2022)

Climate Initiatives Program	OBAG 2 & OBAG 3	CRP	Total
Mobility Hubs	\$12.8	\$20	\$32.8
Parking Management	\$15		\$15
Electric Vehicles and Infrastructure	\$25	\$40	\$65
Total	\$52.8	\$60	\$112.8

Funding amounts are in millions.

This month, staff recommends directing \$20 million in programming capacity within the Electric Vehicles and Infrastructure subprogram to MTC for Bay Wheels Bikeshare E-bike Expansion. Proposed investments include funding and deploying new and additional e-bikes, capital costs for spare parts, electrification of existing docking stations, and construction of new infill and expansion stations and docks throughout the Bay Wheels bikeshare system, as well as resources for low-cost memberships for community college students, adaptive bikeshare, and potential Bay Wheels expansion to adjacent cities.

Staff will present additional details of the Bay Wheels Bikeshare E-bike Expansion to the MTC Operations Committee on February 10, 2023. As part of that item, staff will also present a term sheet for consideration to guide potential contract discussions with Lyft, the operator of Bay Wheels. While this contract would cover the majority of the \$20 million commitment proposed

this month (approximately \$15.94 million), the remaining \$4.06 million is anticipated to include funding for adaptive bikeshare, partial funding for expansion of Bay Wheels to adjacent cities, funding for staff needs for participating cities, and grid connection for station electrification. Additional details on these elements will be brought back to the Commission at a later date.

Issues:

Elements of the proposed Bay Wheels Bikeshare E-bike Expansion may not be eligible for federal funding. Staff is developing alternative fund sources for the \$20 million in OBAG 3 programming capacity committed with this action, including a local fund exchange or use of MTC's formula share of the state Regional Early Action Planning (REAP 2) grant program. Staff will return in March with recommended programming actions to ensure appropriate fund sources are assigned to implement the full Bay Wheels Bikeshare E-bike Expansion project.

Recommendations:

Refer MTC Resolution No. 4505, Revised to the Commission for approval.

Attachments:

- MTC Resolution No. 4505, Revised, Attachment B-1

A handwritten signature in blue ink, reading "Alix A. Bockelman", with a long horizontal flourish extending to the right.

Alix A. Bockelman

MTC Resolution No. 4505 and its Attachments have been updated and are attached to the Commission memo in this packet.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0230 **Version:** 1 **Name:**
Type: Report **Status:** Commission Approval
File created: 1/11/2023 **In control:** Programming and Allocations Committee
On agenda: 2/8/2023 **Final action:**
Title: FY 2022-23 Transit Performance Initiative Call for Projects Award Recommendations

Recommendation of awards for the FY2022-23 Transit Performance Initiative (TPI) Investment Program Call for Projects, including award of approximately \$15 million in STP/CMAQ funding and approximately \$6 million in Low Carbon Transit Operations Program (LCTOP) funding.

Sponsors:

Indexes:

Code sections:

Attachments: [14a 23-0230 FY2022-23 TPI Call for Projects Award Recommendations.pdf](#)
[3a 23-0230 FY2022-23 TPI Call for Projects Award Recommendations.pdf](#)

Date	Ver.	Action By	Action	Result
2/8/2023	1	Programming and Allocations Committee		

Subject:

FY 2022-23 Transit Performance Initiative Call for Projects Award Recommendations

Recommendation of awards for the FY2022-23 Transit Performance Initiative (TPI) Investment Program Call for Projects, including award of approximately \$15 million in STP/CMAQ funding and approximately \$6 million in Low Carbon Transit Operations Program (LCTOP) funding.

Presenter:

Anne Spevack

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee****February 8, 2022****Agenda Item 3a - 23-0230****FY 2022-23 Transit Performance Initiative Call for Projects Award Recommendations****Subject:**

Recommendation of awards for the FY2022-23 Transit Performance Initiative (TPI) Investment Program Call for Projects, including award of approximately \$15 million in STP/CMAQ funding and approximately \$6 million in Low Carbon Transit Operations Program (LCTOP) funding.

Background:

The TPI Investment program funds low-cost capital investments that can be implemented rapidly to improve operations and customer experience on major transit corridors and systems. Since 2012, \$104 million has been programmed to 35 projects. Through this funding program, operators have completed projects that improve transit reliability, speed, and rider experience. Not only has transit service benefitted from these projects, but agencies have built up toolkits and experience on how to get transit out of traffic. With additional funding, more projects can be implemented to improve transit service.

In 2021, MTC's Blue Ribbon Transit Recovery Task Force approved the Bay Area Transit Transformation Action Plan, which identifies delivery of near-term transit corridor projects as an accelerated action to support transit recovery. Both the Action Plan and Plan Bay Area 2050 (PBA50) name bus transit priority improvements as especially efficient and effective at meeting the region's transit goals. While MTC develops policies and programs for enhanced and continual investment in transit priority improvements, staff recognizes that there are TPI projects that are ready to advance in the coming months.

The One Bay Area Grant Program (OBAG 2) included a \$15 million set aside for transit priority projects that has not yet been distributed. Additionally, approximately \$18 million in state LCTOP funds are expected to be distributed to MTC via the population-based formula program for FY2022-23, of which one-third, or approximately \$6 million, is reserved for the Transit Performance Initiative via the MTC Cap and Trade Funding Framework, MTC Resolution No. 4130.

This item proposes to distribute a total of \$21 million in OBAG 2 and LCTOP funding through the 2022-23 TPI Program Call for Projects, to advance immediate investment in the Transit Transformation Action Plan and PBA50-identified priority of transit improvements on major corridors.

2022-23 TPI Investment Program Call For Projects and Project Selection Process

To address the program goals outlined above, staff initiated a call for projects in fall 2022. In addition to the traditional capital grants that have been awarded through every round of the TPI program, this round proposals were accepted for early phase planning and project development, to support advancement of projects that could be eligible for a TPI capital grant in the coming years.

MTC received seven capital applications totaling \$17 million and five planning applications totaling \$6 million, for a total request of \$23 million across twelve applications. Details of submitted projects are included in Attachment B.

Staff convened an evaluation panel consisting of staff from MTC and a transit agency representative. Each panel member scored submissions on the effectiveness of the proposed improvements, support for regional policies and goals, cost effectiveness, and readiness and deliverability, based on submitted proposals and clarifications provided to the panel from project sponsors as requested.

Based on the panel's final scores and feedback, staff developed award recommendations taking into account funding eligibility.

Funding Recommendations

Staff recommend awarding a total of approximately \$21.2 million, including full or partial funding for all twelve projects submitted this round. The projects will improve travel times, reliability, and ridership on bus routes in Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties. The improvements to be advanced by the projects include transit signal priority and other communications improvements, new dedicated transit lanes and systems to reduce violations in existing lanes, bus stop improvements and optimization, and

other bus priority infrastructure such as bus bulbs and queue jumps. All projects are located in or supportive of Plan Bay Area Priority Development Areas and Equity Priority Communities.

Most projects received an aggregate score of 3.5 out of 5 or better. One project received a lower score – the Napa Valley Transit Safety and Efficiency Improvements, because the identified improvements would only indirectly improve transit operations or ridership. However, a secondary goal of the TPI program, as set out in this year’s guidelines, is improving the customer experience. The Napa project would improve the customer experience through improved information wayfinding and signage, communications, and safety throughout the Napa Vine fixed-route transit service area, and staff recommend funding their approximately \$1M request.

One project is recommended to receive partial funding. SFMTA submitted a request for the second phase of the 29-Sunset Improvement project. This is a good fit for the TPI program, but construction is not expected to start until late 2026, a longer timeline than other applications and longer than is generally expected for TPI projects applying for construction funds. In addition, SFMTA identified the project as scalable, as once design is completed construction can be scheduled based on funding availability. For these reasons, staff recommend a partial funding award of approximately \$2.7 million out of the \$4.5 million request. Staff recommend considering awarding this project additional funding as it becomes available in the future.

Staff recommend awarding the full requested amount for all remaining projects, from LCTOP and OBAG sources depending on eligibility. The LCTOP program has more limited eligibility than the OBAG funding sources, including potential conflicts with other Cap and Trade sources, so only a few of the applications were LCTOP-eligible. The estimated LCTOP apportionment was first divided amongst these applications, then the remaining requests were filled in with OBAG funding. The exact amount of LCTOP funding available this year has not yet been announced by the State Controller’s Office. Staff plan to recommend approval of programming resolutions for OBAG and LCTOP funding in March, after the LCTOP amount is finalized.

Next Steps:

Staff intend to bring recommended updates to the OBAG and LCTOP programming resolutions to finalize these updates in March.

Issues:

None identified.

Recommendations:

Refer FY2022-23 TPI Programming Recommendations to the Commission for approval.

Attachments:

- Attachment A: TPI Awards Summary
- Attachment B: TPI Project Fact Sheets



Alix A. Bockelman

TPI 2022-23 Call for Projects: Application and Award Recommendation Summary

Project Title	Project Sponsor	Capital/ Planning	Request amount	Recommended Award ¹	Recommended award source
Next Generation Transit Lane and Bus Zone Enforcement Pilot Program	San Francisco Municipal Transportation Agency	Capital	\$2,544,132	\$2,544,132	LCTOP
29 Sunset Improvement Project - Phase Two	San Francisco Municipal Transportation Agency	Capital	\$4,500,000	\$2,696,000 ²	OBAG
Transit Reliability Improvement and Performance System (TRIPS)	Santa Clara Valley Transportation Agency	Capital	\$2,390,310	\$2,390,310	LCTOP
Third Street Dynamic Traffic Signal Optimization Project	San Francisco Municipal Transportation Agency	Capital	\$2,000,000	\$2,000,000	OBAG
Marin County Hwy 101 Part Time Transit Lane	Marin County Transit District (Implemented by Transportation Authority of Marin)	Capital	\$1,106,625	\$1,107,000	OBAG
MacDonald Avenue Transit Signal Priority Project Phase 1	Alameda-Contra Costa Transit District	Capital	\$3,500,000	\$3,500,000	OBAG/LCTOP ³
Napa Valley Transit Safety and Efficiency Improvements	Napa Valley Transportation Authority	Capital	\$1,060,000	\$1,060,000	OBAG
Muni Forward Five-Minute Network Corridor Planning Program	San Francisco Municipal Transportation Agency	Planning	\$3,037,508	\$3,038,000	OBAG
El Camino Real Mid-County Transit and Multimodal Corridor Plan	San Mateo County Transit District	Planning	\$407,000	\$407,000	OBAG
Monterey Road Transit Lane Project	Santa Clara Valley Transportation Agency	Planning	\$575,445	\$575,445	OBAG
Transit Corridors Study	Central Contra Costa Transit Authority (County Connection)	Planning	\$400,000	\$400,000	OBAG
Foothill Corridor Planning Study	Alameda-Contra Costa Transit District	Planning	\$1,500,000	\$1,500,000	OBAG
		Totals	\$23,021,020	\$21,217,442	

1. Projects listed from highest to lowest average panel score within the Capital and Planning Categories
2. OBAG awards are rounded to the nearest thousand.
3. Exact award subject to change based on final apportionments; recommendation is sized to balance of available funding
4. Split of LCTOP and OBAG funding on the MacDonald Ave project dependent on the official LCTOP apportionment, to be announced in February 2023

Attachment B: TPI Investment Program – FY23 Fact Sheets

AC Transit – Foothill Corridor Planning Study (Planning Project)

Recommended TPI Funding: \$1.5 M (OBAG 2)

Estimated Total Project Cost: TBD

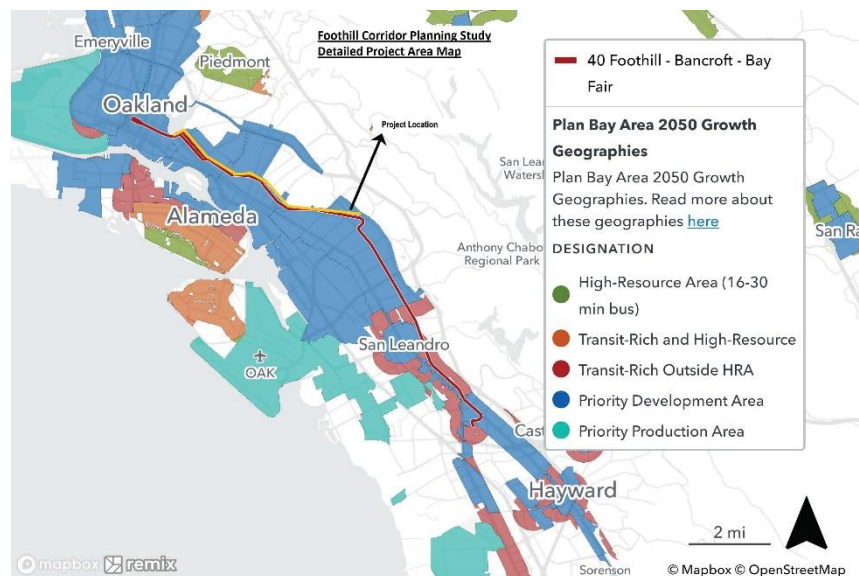
Lead Implementing Agency/ Sponsor: AC Transit

Project Location: Foothill Boulevard between 1st Ave and 73rd Ave at the Eastmont Transit Center.

Project Description: Study to provide service and design alternative to reduce congestion delay and improve bus operations. Potential improvements include bus lanes, queue jumps, and sidewalk bulb outs, new traffic signals or other traffic controls.

Project Benefits: Develop recommendations to reduce congestion delay and improve bus operations.

Project Map:



County Connection – Transit Corridors Study (Planning Project)

Recommended Funding: \$0.4 M (OBAG 2)

Estimated Total Project Cost: TBD

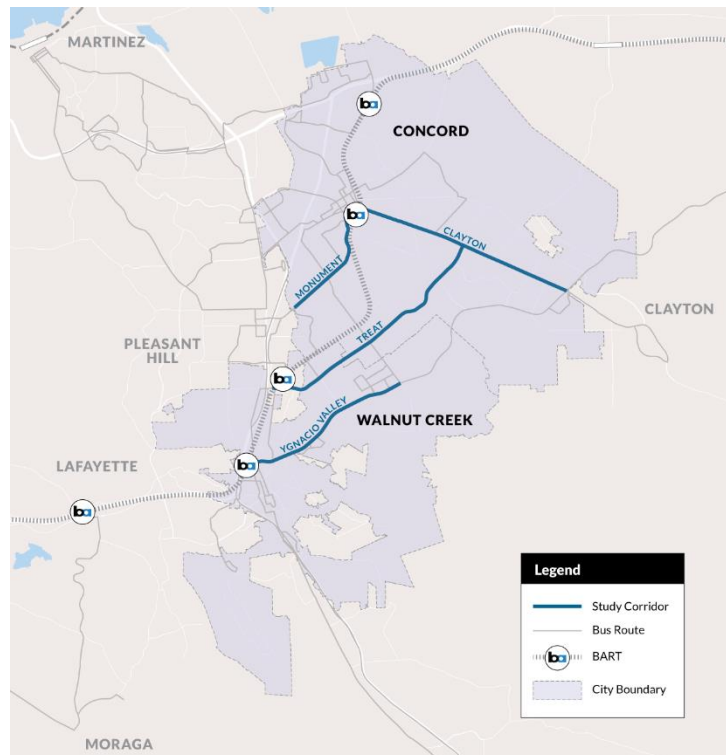
Lead Implementing Agency/ Sponsor: Central Contra Costa Transit Authority (CCCTA)/County Connection

Project Location: Clayton Road between Concord BART and Ygnacio Valley Rd/Kirker Pass Rd; Monument Boulevard between Concord BART and Mohr Ln; Ygnacio Valley Road between Walnut Creek BART and Oak Grove Rd; Treat Boulevard between Pleasant Hill BART and Clayton Rd.

Project Description: Study to analyze four major corridors by assessing current conditions, gathering passenger and community feedback, and identify options to improve speed and reliability of buses.

Project Benefits: Develop recommendations that would reduce delays and enhance customer service on high-ridership corridors.

Project Map:



SamTrans – El Camino Real Mid-County Transit and Multimodal Corridor Plan (Planning Project)

Recommended Funding: \$0.4 M (OBAG 2)

Estimated Total Project Cost: TBD

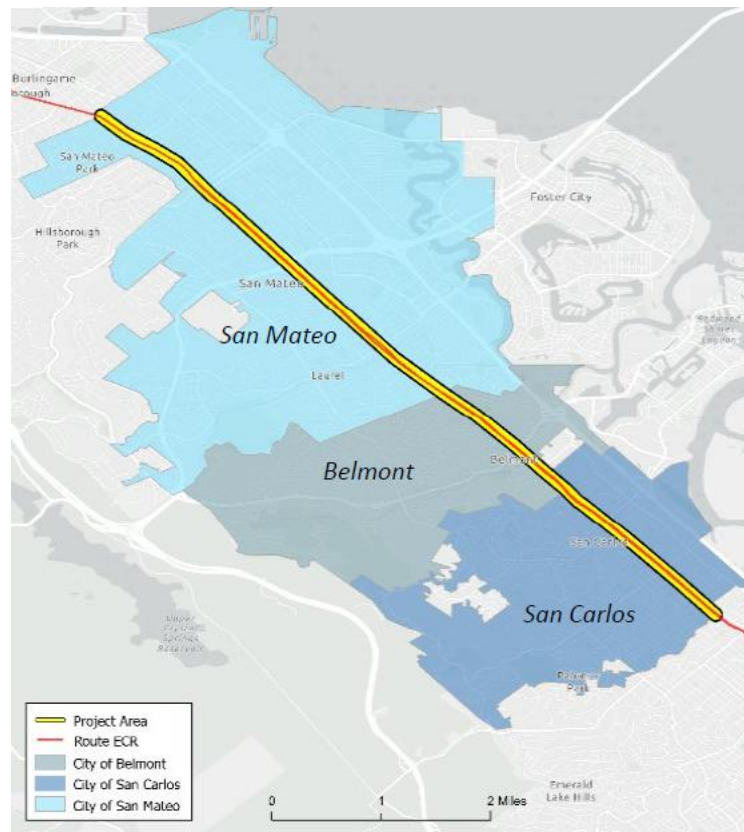
Lead Implementing Agency/ Sponsor: San Mateo County Transit District (SMCTD)/SamTrans

Project Location: El Camino Real mid-county corridor in the cities of San Mateo, Belmont, and San Carlos

Project Description: Develop a preferred conceptual design for the ECR corridor mid-county corridor incorporating recommendations from SamTrans' ECR study, local vision for active transportation facilities, and reconciliation of tradeoffs between modes. Specific treatments for consideration include bus bulbs, queue jumps, and bus only lanes.

Project Benefits: Develop conceptual designs addressing travel times and reliability of the ECR route.

Project Map:



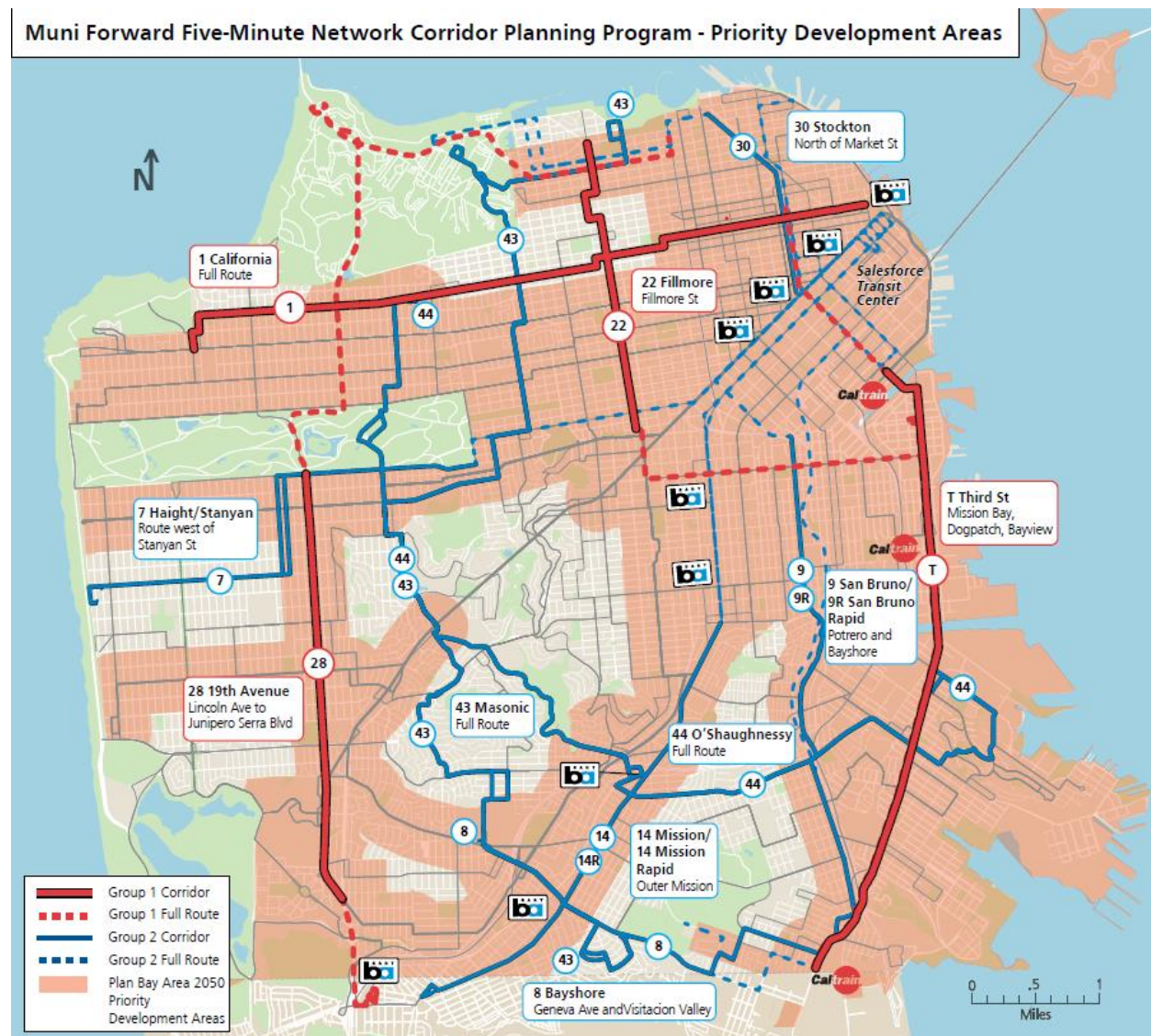
SFMTA – Muni Forward Five-Minute Network Corridor Planning (Planning Project)

Recommended TPI Funding: \$3 M (OBAG 2)

Estimated Total Project Cost: TBD

Lead Implementing Agency/ Sponsor: SFMTA

Project Location:	<p>Group 1 Corridors: 1 California - Full Route; 22 Fillmore – Along Fillmore Street; T Third – SFMTA, Dogpatch and Mission Bay; 28 19th Avenue – 19th Avenue HOV lanes</p> <p>Group 2 Corridors (if funding allows): 7 Haight-Noriega– West of Stanyan; 8 Bayshore – Geneva Ave and Visitacion Valley; 9 San Bruno and Bayshore; 14 Mission – Outer Mission; 30 Stockton – Stockton, Kearny and Columbus Streets; 43 Masonic – Full Route; 44 O’Shaughnessy – Full Route</p>
Project Description:	<p>Develop the next generation of Muni Forward corridor projects in support of SFMTA’s network of high-ridership corridors with capacity to support combined five-minute headways, referred to as a “Five-Minute Network.” TPI funding would be used for the most critical investments of the Five-Minute Network on four “Group 1” Corridors. Additional corridors from “Group 2” could be pursued if funding allows.</p> <p>The Five Minute Network Plan will build upon the existing Muni Forward program and draw from a toolkit of transit priority street design improvements such as transit lanes, stop consolidation, transit bulbs and islands, traffic signals with transit priority, turn pockets and restrictions, curb management, and more.</p>
Project Benefits:	<p>Develop corridor plans to improve reliability and reduce delay through proven tools.</p>
Project Graphic:	<p>(see next page)</p>



VTA – Monterey Road Transit Lane Project (Planning Project)

Recommended TPI Funding: \$0.6 M

Estimated Total Project Cost: TBD

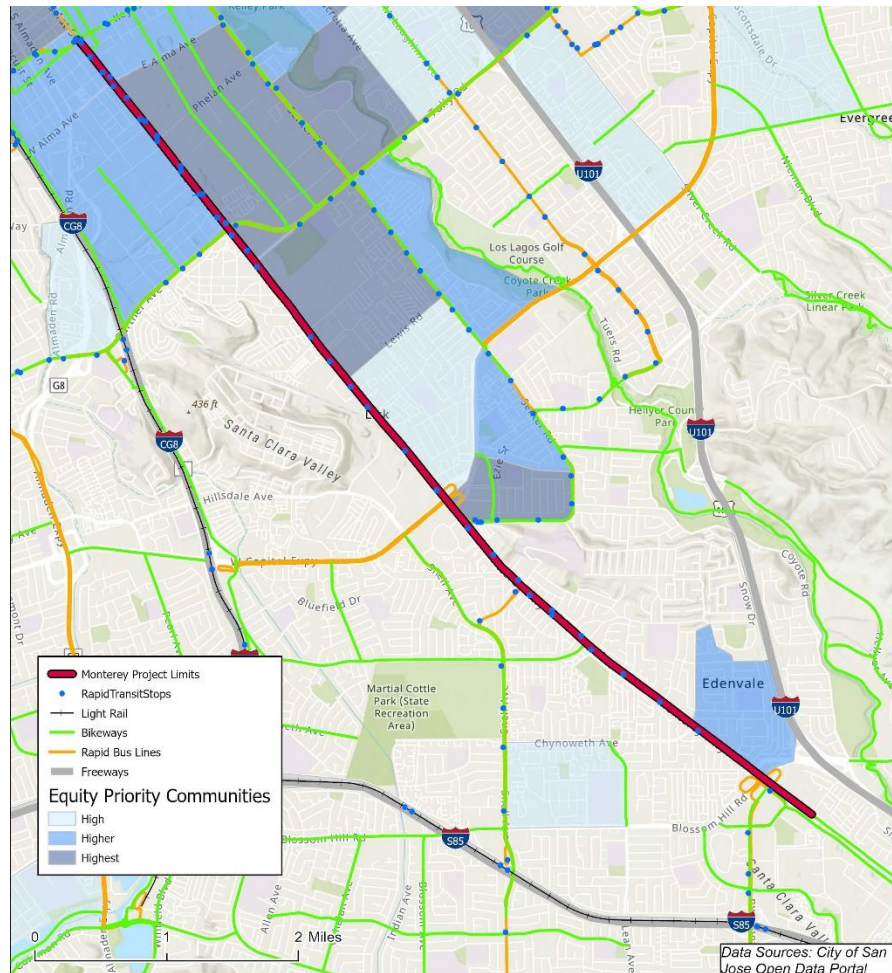
Lead Implementing Agency/ Sponsor: VTA

Project Location: Monterey Road in the City of San Jose from Keyes Road to Ford Road.

Project Description: Transportation analysis and final design for installation of dedicated bus lanes on Monterey Road serving routes 66,68, Rapid 568, 70, 72, and 73, and protected bicycle lanes.

Project Benefits: Design document for improvements to increase transit speeds, reduce transit travel times, improve safety for all modes.

Project Map:



AC Transit – MacDonald Avenue Transit Signal Priority Project Phase 1

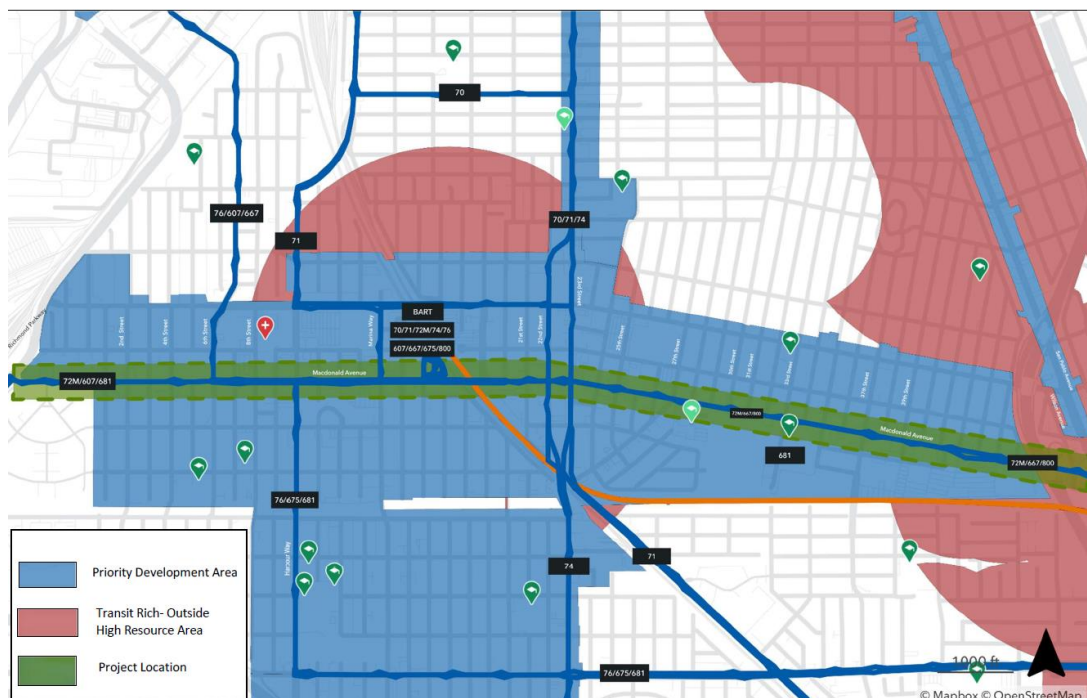
Recommended Funding: \$3.5 M (OBAG 2/LCTOP)

Estimated Total Project Cost: \$3.9 M

Lead Implementing Agency/ Sponsor: AC Transit

Project Location:	MacDonald Avenue in Richmond between Richmond Parkway and San Pablo Avenue. The project corridor is 2.71 miles and features 15 signalized intersections.
Project Description:	Install TSP equipment along MacDonald Avenue in Richmond, including traffic signal upgrades, signal communication, and signal timing coordination. In addition, bus stops along the corridor will be improved through relocation, consolidation, installation of bus bulbs/islands, and other improvements.
Project Benefits:	Reduce delay, improve reliability and achieve approximately 10% travel time savings along the corridor
Project Schedule:	Environmental Clearance: December 2023 Project Completion: August 2025

Project Map:



Marin Transit – Marin County Hwy 101 Part Time Transit Lane

Recommended Funding: \$1.1 M (OBAG 2)

Estimated Total Project Cost: \$9.1 million

Lead Implementing Agency/ Sponsor: Marin County Transit District/Transportation Authority of Marin

Project Location: Southbound US 101 in Marin County between Delong Avenue in Novato and Mission Avenue in San Rafael.

Project Description: Pilot of a Part Time Transit Lane (PTTL) on the shoulder of Southbound US 101 in Marin County. This has been identified as a low-cost way to provide highly visible transit priority for buses using a combination of freeway shoulder lanes, auxiliary lanes, exit lanes, and existing bus bypass lanes.

Project Benefits: Transit travel time savings of 5 to 10 minutes over traffic in HOV and general-purpose lanes and reliability improvements, along with resulting operating cost savings and ridership increases.

Project Schedule: Environmental clearance: December 2023
Project Completion: June 2027

Project Map:



NVTA – Napa Valley Transit Safety and Efficiency Improvements

Recommended Funding: \$1 M (LCTOP)

Estimated Total Project Cost: \$1.5 million

Lead Implementing Agency/ Sponsor: Napa Valley Transportation Authority

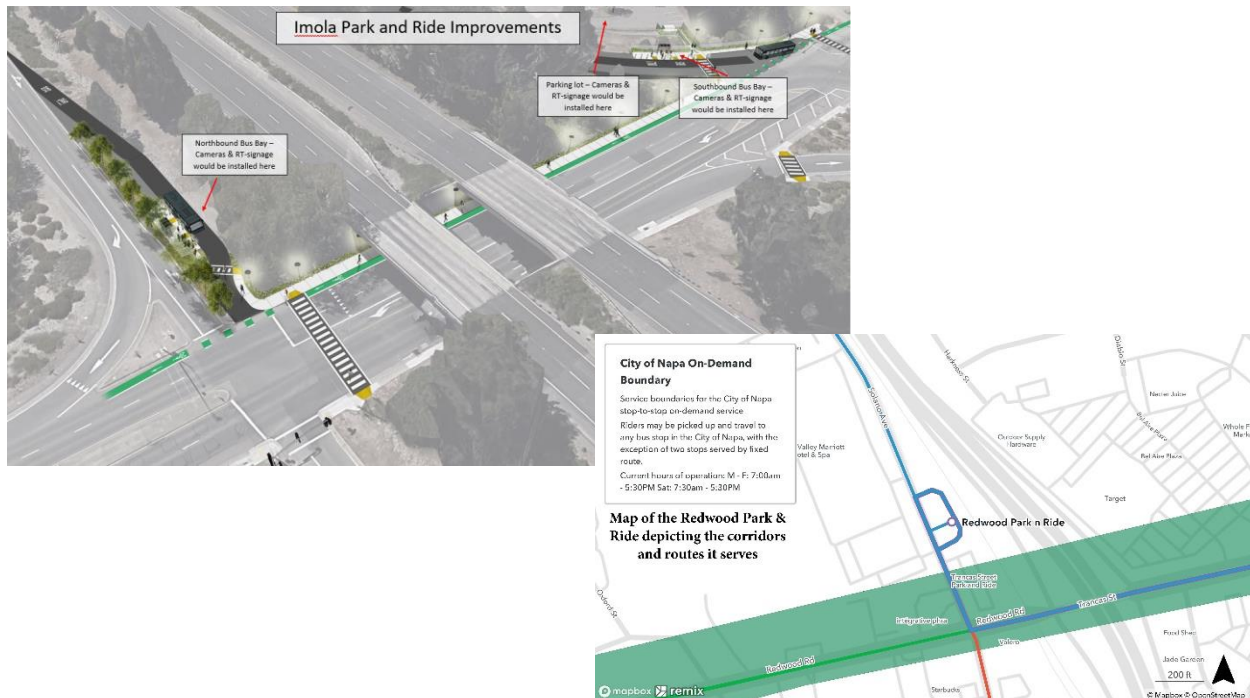
Project Location: Redwood Park and Ride, Imola Park and Ride, Soscol Gateway Transit Center, and improvements to vehicles serving the Vine transit network.

Project Description: Suite of improvements including: Wayfinding and public facility upgrades at Redwood Park and Ride; surveillance and dynamic information signs at Imola Park and Ride; wayfinding and signage at Soscol Gateway Transit Center; replacement of the radio system and surveillance system on board Vine Transit buses.

Project Benefits: Improved reliability and safety of transit throughout Napa County, improvements to the customer experience and associated ridership increase.

Project Schedule: Project Completion: June 2025

Project Diagrams:



SFMTA – Next Generation Transit Lane and Bus Zone Enforcement Pilot Program

Recommended Funding: \$2.5 M (LCTOP)

Estimated Total Project Cost: \$2.9 M

Lead Implementing Agency/ Sponsor: SFMTA

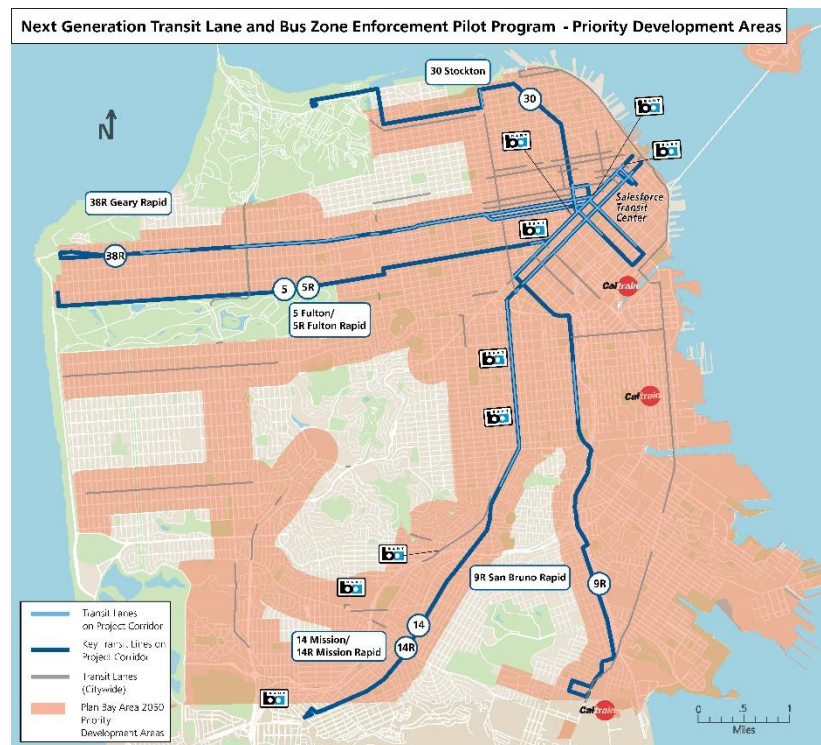
Project Location: 14 Mission/14R Mission Rapid, 38 Geary/38R Geary Rapid, 5 Fulton/5R Fulton Rapid, 9 San Bruno/9R San Bruno Rapid, and 30 Stockton corridors

Project Description: Planning, labor, and equipment to modernize a quarter of the Muni bus fleet (212 buses) with next generation camera technology to improve detection of parking violations in transit lanes and at stops. This equipment will improve the efficiency of monitoring transit lanes for violations and issuing citations, including allowing SFMTA to issue warnings for first-time violations.

Project Benefits: Approximate 10% decrease in delays, improvement of reliability, and approximately 5% increase in ridership for routes in dedicated transit lanes by discouraging violations.

Project Schedule: Project completion: July 2026

Project Map:



SFMTA – 29 Sunset Improvement Project – Phase Two

Recommended Funding: \$2.7 M (OBAG 2)

Estimated Total Project Cost: \$9.9 M

Lead Implementing Agency/ Sponsor: SFMTA

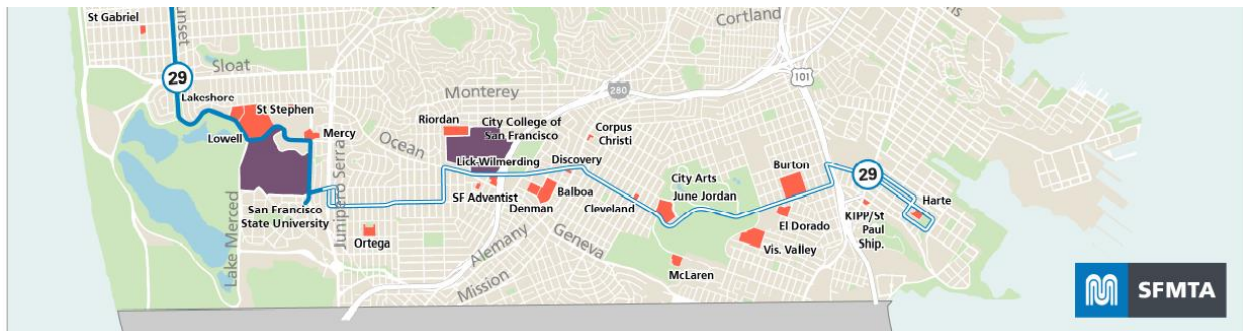
Project Location: 29 Sunset route between Junipero Serra and Holloway and Ocean Avenue.

Project Description: Improvements to performance and passenger experience on the Muni 29 Sunset bus route including removal of some stops, relocation of stops, improved amenities, implementation of TSP.

Project Benefits: Improve travel times, by approximately 4%, and reliability by reducing delays, increase ridership.

Project Schedule: Environmental clearance: September 2024
Project Completion: November 2028

Project Map:



SFMTA – Third Street Dynamic Traffic Signal Optimization Project

Recommended Funding: \$2 M (OBAG 2)

Estimated Total Project Cost: \$2 M

Lead Implementing Agency/ Sponsor: SFMTA

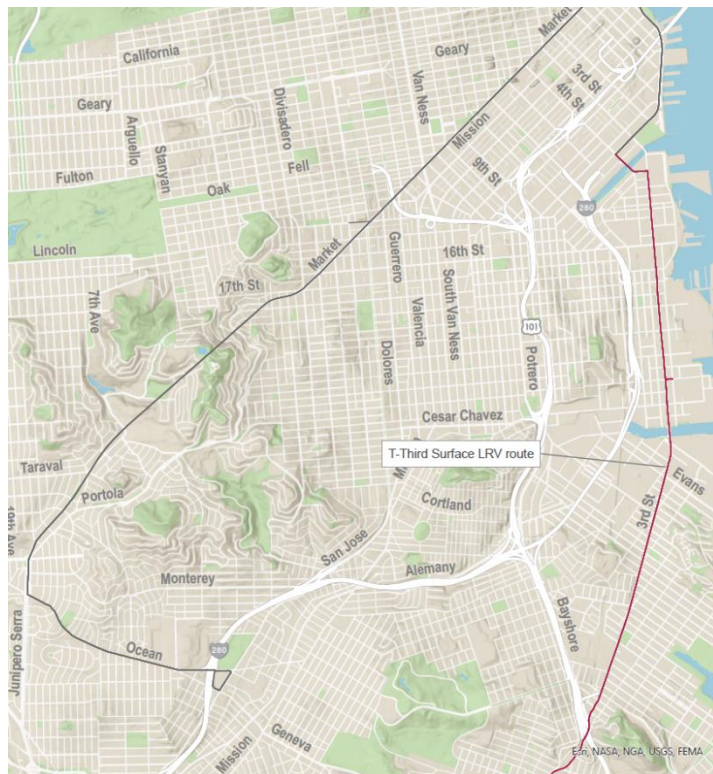
Project Location: T-Third Street light rail line, running along a 5.3 mile north-south corridor on the eastern edge of San Francisco.

Project Description: Implement smart technology traffic signals on the T-Third Street light rail line. The technology includes a new traffic detection system and a demand based adaptive signal priority central traffic software. The project will include evaluation of three tiers of deployment to determine the most cost-effective approach.

Project Benefits: Estimated 10% reduction in travel time, resulting in cost savings and a 5% ridership increase.

Project Schedule: Environmental clearance: July 2023
Project Completion: March 2024

Project Map:



VTA – Transit Reliability Improvement and Performance System (TRIPS)

Recommended Funding: \$2.4 M (LCTOP)

Estimated Total Project Cost: \$2.7 M

Lead Implementing Agency/ Sponsor: Santa Clara County Valley Transportation Authority

Project Location:	VTA Bus Route 66 starting in Downtown San Jose to North Milpitas, including over 33.3 miles of round trip service.
Project Description:	Plan and deploy a centralized transit signal priority (TSP) system that will improve transit speed and reliability, starting with Route 66. The Transit Reliability Improvement and Performance System (TRIPS) will make it possible to deploy TSP quickly and cost-effectively across different types of traffic signal controllers using by the 16 cities where VTA operates.
Project Benefits:	Speed improvement of up to 11% on Route 66, allowing VTA to increase the span of service and/or reduction of transit vehicles needed for daily operations.
Project Schedule:	Project completion: July 2025
Project Map:	See Next Page





Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0163 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 12/29/2022 **In control:** Programming and Allocations Committee
On agenda: 2/8/2023 **Final action:**
Title: MTC Resolution No. 4556. FY 2023-24 MTC Fund Estimate

Annual Fund Estimate and proposed apportionment and distribution of approximately \$1 billion in Transportation Development Act (TDA) Local Transportation Fund, State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill 1107 (AB 1107), transit-related bridge toll, and Low Carbon Transit Operations Program (LCTOP) funds for FY 2023-24.

Sponsors:

Indexes:

Code sections:

Attachments: [14b 23-0163 MTC Reso 4556 Fund Estimate.pdf](#)
[3b 23-0163 MTC Resolution 4556 FY2023-24 Fund Estimate.pdf](#)
[3b 23-0163 Attachment 1 FY2023-24 Fund Estimate Presentation.pdf](#)

Date	Ver.	Action By	Action	Result
2/8/2023	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4556. FY 2023-24 MTC Fund Estimate

Annual Fund Estimate and proposed apportionment and distribution of approximately \$1 billion in Transportation Development Act (TDA) Local Transportation Fund, State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill 1107 (AB 1107), transit-related bridge toll, and Low Carbon Transit Operations Program (LCTOP) funds for FY 2023-24.

Presenter:

Terence Lee

Recommended Action:

Commission Approval

Metropolitan Transportation Commission

February 22, 2023

Agenda Item 14b - 23-0163

MTC Resolution No. 4556 – Updates

Subject:

Highlights on recent developments regarding MTC Resolution No. 4556, the FY 2023-24 MTC Fund Estimate.

Background:

MTC Resolution No. 4556 was presented to the Programming and Allocations Committee on February 8th where MTC staff highlighted pending issues about which there are new developments to report.

State Transit Assistance – Revenue-based Estimates

Fifty percent of revenues from the State Transit Assistance (STA) program are distributed through a formula based on an operator's share of qualifying revenues as reported to the State Controller's Office (SCO). These distribution factors have been frozen since FY 2020-21 to help mitigate the impacts of the COVID-19 pandemic, with the freeze set to expire for the development of FY 2023-24 revenue estimates. MTC staff noticed significant discrepancies in the calculations when the revenue estimates were initially released and notified the SCO accordingly.

The SCO has since released new estimates based on the frozen distribution factors but indicated that they would be revised in August 2023 to be based on latest available actual qualifying revenues. Using the frozen distribution factors instead of the erroneous factors released by the SCO in January, MTC's statewide share of STA is now \$341million (\$250 million in Revenue-based and \$91 million in Population-based) in FY 2023-24. MTC staff will advocate for a continued freeze on the qualifying revenue basis for FY 2023-24 to eliminate the uncertainty this would create for transit operators. However, staff continue to caution transit operators to budget conservatively as there could be significant differences when the August estimates are released.

BART Feeder Bus Agreements

A 1997 agreement between BART and four East Bay bus operators (County Connection, LAVTA, Tri-Delta, and WestCAT) established a funding mechanism for BART to support feeder bus operators using BART's STA Revenue-Based and TDA sales tax funds. BART had

communicated an interest in amending the agreement before the pandemic and has recently expressed greater urgency given its looming fiscal cliff.

While discussions were ongoing at the time of the February 8th Programming and Allocations Committee meeting, the operators have since reached an agreement that feeder bus payments would be reduced by 15% in FY 2022-23 and 25% in FY 2023-24. Feeder bus operators are being provided flexibility to take the cumulative two-year reduction in part or in total, in FY2022-24. Given WestCat's large degree of reliance on the feeder bus payments to support its operating budget, MTC will allocate STA -Population based funds through the MTC Regional Program in FY 2023-24 to WestCat, in an amount that equals WestCat's payment reduction in FY 2022-23. County Connection has also agreed to take on a larger payment reduction amount over the two-year period, to reduce the reductions necessary for WestCat.

California Tax and Feed Administration (CDTFA) Ruling Impacting TDA Revenue in Santa Clara County

As noted at the February 8th Programming and Allocations Committee meeting, in October 2021, the CDTFA issued a notice to Santa Clara County that an audit uncovered an erroneous attribution of sales on eBay as sales taxes to Santa Clara County instead of a use tax to point of delivery jurisdictions. An appeal was filed by the City of San Jose and Santa Clara County. On February 14, 2023, a negative ruling was issued, denying the appeals. This ruling will have a significant impact on TDA sales tax revenues in Santa Clara County going forward and a recission of already allocated funds dating back to October 2019. MTC staff will be working with the Santa Clara Valley Transportation Authority and Santa Clara County to determine the overall impact of the ruling and what opportunities exist to mitigate the impact by accounting for the negative reallocation of sales tax for Santa Clara County over multiple years.

Staff recommend the Commission approve MTC Resolution No. 4556.

Issues:

None identified.

Recommendations:

Approve MTC Resolution No. 4556

Attachment:

MTC Resolution No. 4556, Attachment A

A handwritten signature in blue ink, reading "Alix A. Bockelman", followed by a long horizontal flourish line.

Alix A. Bockelman

**FY 2023-24 FUND ESTIMATE
REGIONAL SUMMARY**

Attachment A
Res No. 4556
Page 1 of 20
2/22/2023

TDA REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H=Sum(A:G)</i>
	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	FY2023-24	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance ¹	Outstanding Commitments, Refunds, & Interest ²	Original Estimate	Revenue Adjustment	Revised Admin. & Planning Charge	Revenue Estimate	Admin. & Planning Charge	Available for Allocation
Alameda	50,903,461	(120,222,771)	101,774,961	10,943,244	(4,508,728)	113,845,387	(4,553,816)	148,181,738
Contra Costa	50,482,840	(79,085,332)	58,468,618	(1,536,254)	(2,277,295)	60,006,712	(2,400,269)	83,659,020
Marin	5,528,591	(20,669,122)	16,523,000	(2,115,449)	(576,302)	14,839,778	(593,591)	12,936,905
Napa	8,447,843	(16,017,112)	10,405,658	1,486,840	(475,700)	12,368,198	(494,728)	15,721,000
San Francisco	2,942,104	(45,348,505)	45,952,500	4,977,500	(2,037,200)	51,445,000	(2,057,800)	55,873,597
San Mateo	16,827,307	(58,850,489)	52,172,265	4,735,908	(2,276,327)	60,360,105	(2,414,405)	70,554,363
Santa Clara	17,521,693	(149,647,968)	140,649,000	3,780,454	(5,777,178)	145,007,000	(5,800,280)	145,732,721
Solano	45,394,948	(38,269,010)	25,527,409	2,263,349	(1,111,630)	27,790,758	(1,831,967)	59,763,857
Sonoma	32,053,379	(35,846,544)	32,025,000	0	(1,281,000)	33,200,000	(1,328,000)	58,822,836
TOTAL	\$230,102,168	(\$563,956,853)	\$483,498,410	\$24,535,593	(\$20,321,360)	\$518,862,938	(\$21,474,856)	\$651,246,037

STA, AB 1107, BRIDGE TOLL, LOW CARBON TRANSIT OPERATIONS PROGRAM, & SGR PROGRAM REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i>		<i>B</i>	<i>C</i>	<i>D</i>	<i>E=Sum(A:D)</i>
	6/30/2022		FY2021-23	FY2022-23	FY2023-24	FY2023-24
Fund Source	Balance (w/ interest) ¹		Outstanding Commitments ²	Revenue Estimate	Revenue Estimate	Available for Allocation
State Transit Assistance						
Revenue-Based ³	39,983,143		(190,516,640)	256,881,538	250,544,353	356,892,392
Population-Based	84,822,112		(70,982,306)	93,145,482	90,847,614	197,832,903
SUBTOTAL	124,805,255		(261,498,946)	350,027,020	341,391,967	554,725,295
AB1107 - BART District Tax (25% Share)	0		(104,000,000)	104,000,000	104,000,000	104,000,000
Bridge Toll Total						
MTC 2% Toll Revenue	8,399,446		(7,169,269)	1,450,000	1,450,000	4,130,177
5% State General Fund Revenue	21,379,832		(15,621,645)	3,442,511	3,476,936	12,677,633
SUBTOTAL	29,779,278		(22,790,914)	4,892,511	4,926,936	16,807,810
Low Carbon Transit Operations Program	0		0	47,459,360	38,332,560	85,791,921
State of Good Repair Program						
Revenue-Based ³	4		(32,422,245)	32,422,155	33,656,207	33,656,118
Population-Based	24,080,508		(35,661,328)	11,756,303	12,203,772	12,379,255
SUBTOTAL	24,080,511		(68,083,573)	44,178,458	45,859,979	46,035,373
TOTAL	\$178,665,045		(\$456,373,433)	\$550,557,349	\$534,511,442	\$807,360,398

Please see Attachment A pages 2-20 for detailed information on each fund source.

1. Balance as of 6/30/22 is from the MTC FY2021-22 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY2022-23 allocations as of 1/31/23.

3. Estimates for the FY2023-24 STA Revenue-Based programs are based on February 2023 forecasts from the State Controller's Office (SCO). The SCO anticipates updating these estimates in August 2023 with forecasts based on latest available actual qualifying revenues. Accordingly, both the regional total and operator shares are subject to change.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
ALAMEDA COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2023-24 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)	101,774,961				13. County Auditor Estimate				113,845,387	
2. Revised Revenue (Feb, 23)	112,718,205				FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)		10,943,244			14. MTC Administration (0.5% of Line 13)		569,227			
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)		569,227			
4. MTC Administration (0.5% of Line 3)	54,716				16. MTC Planning (3.0% of Line 13)		3,415,362			
5. County Administration (Up to 0.5% of Line 3) ⁴	54,716				17. Total Charges (Lines 14+15+16)		4,553,816			
6. MTC Planning (3.0% of Line 3)	328,297				18. TDA Generations Less Charges (Lines 13-17)		109,291,571			
7. Total Charges (Lines 4+5+6)		437,729			FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)		10,505,515			19. Article 3.0 (2.0% of Line 18)		2,185,831			
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)		107,105,740			
9. Article 3 Adjustment (2.0% of line 8)	210,110				21. Article 4.5 (5.0% of Line 20)		5,355,287			
10. Funds Remaining (Lines 8-9)		10,295,405			22. TDA Article 4 (Lines 20-21)		101,750,453			
11. Article 4.5 Adjustment (5.0% of Line 10)	514,770									
12. Article 4 Adjustment (Lines 10-11)		9,780,635								
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	6,355,031	37,304	6,392,335	(5,475,906)	0	1,954,079	210,110	3,080,617	2,185,831	5,266,448
Article 4.5	890,668	5,802	896,470	(5,353,745)	0	4,787,494	514,770	844,989	5,355,287	6,200,276
SUBTOTAL	7,245,699	43,106	7,288,805	(10,829,651)	0	6,741,573	724,880	3,925,606	7,541,118	11,466,724
Article 4										
AC Transit										
District 1	10,852,851	22,882	10,875,734	(67,976,124)	0	58,247,727	6,263,026	7,410,362	65,495,586	72,905,948
District 2	2,897,741	6,115	2,903,856	(18,280,448)	0	15,683,052	1,686,304	1,992,763	17,245,657	19,238,420
BART ³	20,010	175	20,185	(57,517)	0	97,096	10,440	70,204	142,186	212,390
LAVTA	19,648,651	94,518	19,743,169	(23,022,031)	0	12,938,264	1,391,173	11,050,576	14,669,457	25,720,033
Union City	10,238,509	76,904	10,315,413	(300,699)	0	3,996,250	429,693	14,440,656	4,197,568	18,638,224
SUBTOTAL	43,657,762	200,594	43,858,356	(109,636,819)	0	90,962,389	9,780,635	34,964,561	101,750,453	136,715,014
GRAND TOTAL	\$50,903,461	\$243,700	\$51,147,161	(\$120,466,470)	\$0	\$97,703,962	\$10,505,515	\$38,890,167	\$109,291,571	\$148,181,738

1. Balance as of 6/30/22 is from the MTC FY2021-22 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY2022-23 allocations as of 1/31/23.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 16 of the Fund Estimate.

4. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
CONTRA COSTA COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)	58,468,618				13. County Auditor Estimate				60,006,712	
2. Revised Revenue (Feb, 23)	56,932,364				FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)			(1,536,254)		14. MTC Administration (0.5% of Line 13)		300,034			
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)		300,034			
4. MTC Administration (0.5% of Line 3)	(7,681)				16. MTC Planning (3.0% of Line 13)		1,800,201			
5. County Administration (Up to 0.5% of Line 3) ⁴	(7,681)				17. Total Charges (Lines 14+15+16)				2,400,269	
6. MTC Planning (3.0% of Line 3)	(46,088)				18. TDA Generations Less Charges (Lines 13-17)				57,606,443	
7. Total Charges (Lines 4+5+6)			(61,450)		FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)			(1,474,804)		19. Article 3.0 (2.0% of Line 18)		1,152,129			
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				56,454,314	
9. Article 3 Adjustment (2.0% of line 8)	(29,496)				21. Article 4.5 (5.0% of Line 20)		2,822,716			
10. Funds Remaining (Lines 8-9)			(1,445,308)		22. TDA Article 4 (Lines 20-21)				53,631,598	
11. Article 4.5 Adjustment (5.0% of Line 10)	(72,265)									
12. Article 4 Adjustment (Lines 10-11)			(1,373,043)							
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	2,148,275	10,358	2,158,634	(3,117,555)	0	1,122,597	(29,496)	134,179	1,152,129	1,286,308
Article 4.5	526,010	3,353	529,363	(3,240,423)	0	2,750,364	(72,265)	(32,961)	2,822,716	2,789,755
SUBTOTAL	2,674,285	13,711	2,687,996	(6,357,978)	0	3,872,961	(101,761)	101,218	3,974,845	4,076,063
Article 4										
AC Transit										
District 1	1,921,896	6,180	1,928,076	(10,774,214)	0	8,977,874	(235,892)	(104,157)	9,475,264	9,371,107
BART ³	78,437	502	78,939	(147,930)	0	217,708	(5,720)	142,997	226,131	369,128
CCCTA	33,543,146	110,319	33,653,464	(33,479,642)	0	24,521,140	(644,289)	24,050,672	24,796,860	48,847,532
ECCTA	7,159,661	30,657	7,190,318	(22,764,519)	0	15,435,040	(405,553)	(544,716)	15,962,167	15,417,451
WCCTA	5,105,416	21,068	5,126,484	(5,743,485)	0	3,105,151	(81,587)	2,406,563	3,171,176	5,577,739
SUBTOTAL	47,808,555	168,726	47,977,281	(72,909,791)	0	52,256,912	(1,373,043)	25,951,359	53,631,598	79,582,957
GRAND TOTAL	\$50,482,840	\$182,437	\$50,665,277	(\$79,267,769)	\$0	\$56,129,873	(\$1,474,804)	\$26,052,577	\$57,606,443	\$83,659,020

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 16 of the Fund Estimate.

4. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
MARIN COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)	16,523,000				13. County Auditor Estimate				14,839,778	
2. Revised Revenue (Feb, 23)	14,407,551				FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)		(2,115,449)			14. MTC Administration (0.5% of Line 13)		74,199			
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)		74,199			
4. MTC Administration (0.5% of Line 3)	(10,577)				16. MTC Planning (3.0% of Line 13)		445,193			
5. County Administration (Up to 0.5% of Line 3) ⁴	(10,577)				17. Total Charges (Lines 14+15+16)				593,591	
6. MTC Planning (3.0% of Line 3)	(63,463)				18. TDA Generations Less Charges (Lines 13-17)				14,246,187	
7. Total Charges (Lines 4+5+6)		(84,617)			FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)		(2,030,832)			19. Article 3.0 (2.0% of Line 18)		284,924			
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				13,961,263	
9. Article 3 Adjustment (2.0% of line 8)	(40,617)				21. Article 4.5 (5.0% of Line 20)		0			
10. Funds Remaining (Lines 8-9)		(1,990,215)			22. TDA Article 4 (Lines 20-21)				13,961,263	
11. Article 4.5 Adjustment (5.0% of Line 10)	0									
12. Article 4 Adjustment (Lines 10-11)		(1,990,215)								
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	113,787	(471)	113,316	(389,942)	0	317,242	(40,617)	0	284,924	284,924
Article 4.5										
SUBTOTAL	113,787	(471)	113,316	(389,942)	0	317,242	(40,617)	0	284,924	284,924
Article 4/8										
GGBHTD	3,091,661	801	3,092,463	(8,867,685)	0	5,804,443	(743,146)	(713,926)	5,483,984	4,770,058
Marin Transit	2,323,143	32	2,323,175	(11,411,858)	0	9,740,395	(1,247,069)	(595,356)	8,477,279	7,881,923
SUBTOTAL	5,414,804	833	5,415,637	(20,279,543)	0	15,544,838	(1,990,215)	(1,309,282)	13,961,263	12,651,981
GRAND TOTAL	\$5,528,591	\$362	\$5,528,954	(\$20,669,485)	\$0	\$15,862,080	(\$2,030,832)	(\$1,309,282)	\$14,246,187	\$12,936,905

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
NAPA COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)	10,405,658				13. County Auditor Estimate				12,368,198	
2. Revised Revenue (Feb, 23)	11,892,498				FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)			1,486,840		14. MTC Administration (0.5% of Line 13)		61,841			
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)		61,841			
4. MTC Administration (0.5% of Line 3)	7,434				16. MTC Planning (3.0% of Line 13)		371,046			
5. County Administration (Up to 0.5% of Line 3) ⁴	7,434				17. Total Charges (Lines 14+15+16)				494,728	
6. MTC Planning (3.0% of Line 3)	44,605				18. TDA Generations Less Charges (Lines 13-17)				11,873,470	
7. Total Charges (Lines 4+5+6)			59,473		FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)			1,427,367		19. Article 3.0 (2.0% of Line 18)		237,469			
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				11,636,001	
9. Article 3 Adjustment (2.0% of line 8)	28,547				21. Article 4.5 (5.0% of Line 20)		581,800			
10. Funds Remaining (Lines 8-9)			1,398,820		22. TDA Article 4 (Lines 20-21)				11,054,201	
11. Article 4.5 Adjustment (5.0% of Line 10)	69,941									
12. Article 4 Adjustment (Lines 10-11)			1,328,879							
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	355,579	2,581	358,160	(308,454)	0	199,789	28,547	278,042	237,469	515,511
Article 4.5	293,827	1,481	295,307	(589,800)	0	489,482	69,941	264,930	581,800	846,730
SUBTOTAL	649,406	4,062	653,468	(898,254)	0	689,271	98,488	542,972	819,269	1,362,241
Article 4/8										
NVTA ³	7,798,438	69,422	7,867,859	(15,192,341)	0	9,300,161	1,328,879	3,304,558	11,054,201	14,358,759
SUBTOTAL	7,798,438	69,422	7,867,859	(15,192,341)	0	9,300,161	1,328,879	3,304,558	11,054,201	14,358,759
GRAND TOTAL	\$8,447,843	\$73,483	\$8,521,327	(\$16,090,595)	\$0	\$9,989,432	\$1,427,367	\$3,847,530	\$11,873,470	\$15,721,000

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.

3. NVTA is authorized to claim 100% of the apporionment to Napa County.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN FRANCISCO COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)			45,952,500		13. County Auditor Estimate				51,445,000	
2. Revised Revenue (Feb, 23)			50,930,000		FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				4,977,500	14. MTC Administration (0.5% of Line 13)			257,225		
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			257,225		
4. MTC Administration (0.5% of Line 3)			24,888		16. MTC Planning (3.0% of Line 13)			1,543,350		
5. County Administration (Up to 0.5% of Line 3) ⁴			24,888		17. Total Charges (Lines 14+15+16)				2,057,800	
6. MTC Planning (3.0% of Line 3)			149,325		18. TDA Generations Less Charges (Lines 13-17)				49,387,200	
7. Total Charges (Lines 4+5+6)				199,101	FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				4,778,399	19. Article 3.0 (2.0% of Line 18)			987,744		
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				48,399,456	
9. Article 3 Adjustment (2.0% of line 8)			95,568		21. Article 4.5 (5.0% of Line 20)			2,419,973		
10. Funds Remaining (Lines 8-9)				4,682,831	22. TDA Article 4 (Lines 20-21)				45,979,483	
11. Article 4.5 Adjustment (5.0% of Line 10)			234,142							
12. Article 4 Adjustment (Lines 10-11)				4,448,689						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	1,684,867	3,086	1,687,954	(903,404)	0	882,288	95,568	1,762,406	987,744	2,750,150
Article 4.5	0	0	0	(2,224,196)	0	2,161,606	234,142	171,552	2,419,973	2,591,525
SUBTOTAL	1,684,867	3,086	1,687,954	(3,127,600)	0	3,043,894	329,710	1,933,958	3,407,717	5,341,675
Article 4										
SFMTA	1,257,237	41,158	1,298,395	(42,265,150)	0	41,070,505	4,448,689	4,552,439	45,979,483	50,531,922
SUBTOTAL	1,257,237	41,158	1,298,395	(42,265,150)	0	41,070,505	4,448,689	4,552,439	45,979,483	50,531,922
GRAND TOTAL	\$2,942,104	\$44,245	\$2,986,349	(\$45,392,750)	\$0	\$44,114,399	\$4,778,399	\$6,486,397	\$49,387,200	\$55,873,597

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN MATEO COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)			52,172,265		13. County Auditor Estimate				60,360,105	
2. Revised Revenue (Feb, 23)			56,908,173		FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				4,735,908	14. MTC Administration (0.5% of Line 13)			301,801		
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			301,801		
4. MTC Administration (0.5% of Line 3)			23,680		16. MTC Planning (3.0% of Line 13)			1,810,803		
5. County Administration (Up to 0.5% of Line 3) ⁴			23,680		17. Total Charges (Lines 14+15+16)				2,414,405	
6. MTC Planning (3.0% of Line 3)			142,077		18. TDA Generations Less Charges (Lines 13-17)				57,945,700	
7. Total Charges (Lines 4+5+6)				189,437	FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				4,546,471	19. Article 3.0 (2.0% of Line 18)			1,158,914		
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				56,786,786	
9. Article 3 Adjustment (2.0% of line 8)			90,929		21. Article 4.5 (5.0% of Line 20)			2,839,339		
10. Funds Remaining (Lines 8-9)				4,455,542	22. TDA Article 4 (Lines 20-21)				53,947,447	
11. Article 4.5 Adjustment (5.0% of Line 10)			222,777							
12. Article 4 Adjustment (Lines 10-11)				4,232,765						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	3,510,154	59,045	3,569,199	(3,230,043)	0	1,001,707	90,929	1,431,792	1,158,914	2,590,706
Article 4.5	665,858	6,973	672,831	(2,790,948)	0	2,454,183	222,777	558,843	2,839,339	3,398,182
SUBTOTAL	4,176,013	66,018	4,242,031	(6,020,991)	0	3,455,890	313,706	1,990,635	3,998,253	5,988,888
Article 4										
SamTrans	12,651,294	132,486	12,783,780	(53,028,002)	0	46,629,485	4,232,765	10,618,028	53,947,447	64,565,475
SUBTOTAL	12,651,294	132,486	12,783,780	(53,028,002)	0	46,629,485	4,232,765	10,618,028	53,947,447	64,565,475
GRAND TOTAL	\$16,827,307	\$198,504	\$17,025,811	(\$59,048,993)	\$0	\$50,085,375	\$4,546,471	\$12,608,663	\$57,945,700	\$70,554,363

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.

3. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SANTA CLARA COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)			140,649,000		13. County Auditor Estimate				145,007,000	
2. Revised Revenue (Feb, 23)			144,429,454		FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				3,780,454	14. MTC Administration (0.5% of Line 13)			725,035		
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			725,035		
4. MTC Administration (0.5% of Line 3)			18,902		16. MTC Planning (3.0% of Line 13)			4,350,210		
5. County Administration (Up to 0.5% of Line 3) ⁴			18,902		17. Total Charges (Lines 14+15+16)				5,800,280	
6. MTC Planning (3.0% of Line 3)			113,414		18. TDA Generations Less Charges (Lines 13-17)				139,206,720	
7. Total Charges (Lines 4+5+6)				151,218	FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				3,629,236	19. Article 3.0 (2.0% of Line 18)			2,784,134		
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				136,422,586	
9. Article 3 Adjustment (2.0% of line 8)			72,585		21. Article 4.5 (5.0% of Line 20)			6,821,129		
10. Funds Remaining (Lines 8-9)				3,556,651	22. TDA Article 4 (Lines 20-21)				129,601,457	
11. Article 4.5 Adjustment (5.0% of Line 10)			177,833							
12. Article 4 Adjustment (Lines 10-11)				3,378,818						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	8,216,162	31,704	8,247,866	(8,105,223)		2,700,461	72,585	2,915,689	2,784,134	5,699,823
Article 4.5	465,279	2,221	467,499	(7,080,945)	0	6,616,129	177,833	180,516	6,821,129	7,001,645
SUBTOTAL	8,681,441	33,924	8,715,365	(15,186,168)	0	9,316,590	250,418	3,096,205	9,605,263	12,701,468
Article 4										
VTA	8,840,252	42,195	8,882,447	(134,537,919)	0	125,706,450	3,378,818	3,429,796	129,601,457	133,031,253
SUBTOTAL	8,840,252	42,195	8,882,447	(134,537,919)	0	125,706,450	3,378,818	3,429,796	129,601,457	133,031,253
GRAND TOTAL	\$17,521,693	\$76,119	\$17,597,812	(\$149,724,087)	\$0	\$135,023,040	\$3,629,236	\$6,526,001	\$139,206,720	\$145,732,721

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.
3. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)		25,527,409			13. County Auditor Estimate		27,790,758			
2. Revised Revenue (Feb, 23)		27,790,758			FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)		2,263,349			14. MTC Administration (0.5% of Line 13)		138,954			
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)		138,954			
4. MTC Administration (0.5% of Line 3)		11,317			16. MTC Planning (3.0% of Line 13)		833,723			
5. County Administration (Up to 0.5% of Line 3) ⁴		11,317			17. Total Charges (Lines 14+15+16)		1,111,631			
6. MTC Planning (3.0% of Line 3)		67,900			18. Solano Transportation Authority Planning (2.7% of Line 13-17) ⁴		720,336			
7. Total Charges (Lines 4+5+6)		90,534			19. TDA Generations Less Charges (Lines 13-17)		25,958,791			
8. Adjusted Generations Less Charges (Lines 3-7)		2,172,815			FY2023-24 TDA Apportionment By Article					
FY2022-23 TDA Adjustment By Article					20. Article 3.0 (2.0% of Line 18)		519,176			
9. Article 3 Adjustment (2.0% of line 8)		43,456			21. Funds Remaining (Lines 18-19)		25,439,615			
10. Funds Remaining (Lines 8-9)		2,129,359			22. Article 4.5 (5.0% of Line 20)		0			
11. Article 4.5 Adjustment (5.0% of Line 10)		0			23. TDA Article 4 (Lines 20-21)		25,439,615			
12. Article 4 Adjustment (Lines 10-11)		2,129,359								
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	959,819	4,381	964,200	(844,727)	0	490,126	43,456	653,055	519,176	1,172,231
Article 4.5										
SUBTOTAL	959,819	4,381	964,200	(844,727)	0	490,126	43,456	653,055	519,176	1,172,231
Article 4/8										
Dixon	1,749,663	4,870	1,754,533	(767,098)	0	1,106,100	98,071	2,191,606	1,085,464	3,277,070
Fairfield	8,555,797	30,289	8,586,086	(7,841,181)	0	6,462,613	572,998	7,780,515	6,819,888	14,600,403
Rio Vista	1,206,538	3,858	1,210,396	(129,905)	0	552,037	48,946	1,681,474	564,546	2,246,020
Solano County	2,985,017	10,252	2,995,269	(244,390)	0	1,005,770	89,175	3,845,824	1,043,031	4,888,855
Suisun City	1,217,370	3,694	1,221,064	(1,613,137)	0	1,581,740	140,243	1,329,909	1,643,640	2,973,549
Vacaville	15,278,251	52,703	15,330,954	(13,790,489)	0	5,369,273	476,058	7,385,796	5,759,622	13,145,418
Vallejo/Benicia	13,442,493	45,203	13,487,696	(13,193,332)	0	7,938,655	703,869	8,936,887	8,523,424	17,460,311
SUBTOTAL	44,435,129	150,869	44,585,998	(37,579,533)	0	24,016,187	2,129,359	33,152,011	25,439,615	58,591,626
GRAND TOTAL	\$45,394,948	\$155,250	\$45,550,198	(\$38,424,260)	\$0	\$24,506,313	\$2,172,815	\$33,805,066	\$25,958,791	\$59,763,857

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.
3. Where applicable by local agreement, contributions from each jurisdiction will be made to support the Intercity Transit Funding Agreement.
4. Beginning with FY24, the MTC Fund Estimate will directly program the 2.7% of TDA revenues to Solano Transportation Authority for planning purposes, as authorized by PUC 99233.12 of the Transportation Development Act statute.

**FY 2023-24 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SONOMA COUNTY**

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FY2022-23 TDA Revenue Estimate					FY2023-24 TDA Revenue Estimate					
FY2022-23 Generation Estimate Adjustment					FY2022-23 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 22)			32,025,000		13. County Auditor Estimate				33,200,000	
2. Revised Revenue (Feb, 23)			32,025,000		FY2023-24 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				0	14. MTC Administration (0.5% of Line 13)			166,000		
FY2022-23 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			166,000		
4. MTC Administration (0.5% of Line 3)			0		16. MTC Planning (3.0% of Line 13)			996,000		
5. County Administration (Up to 0.5% of Line 3) ⁴			0		17. Total Charges (Lines 14+15+16)				1,328,000	
6. MTC Planning (3.0% of Line 3)			0		18. TDA Generations Less Charges (Lines 13-17)				31,872,000	
7. Total Charges (Lines 4+5+6)				0	FY2023-24 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				0	19. Article 3.0 (2.0% of Line 18)			637,440		
FY2022-23 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				31,234,560	
9. Article 3 Adjustment (2.0% of line 8)			0		21. Article 4.5 (5.0% of Line 20)			0		
10. Funds Remaining (Lines 8-9)				0	22. TDA Article 4 (Lines 20-21)				31,234,560	
11. Article 4.5 Adjustment (5.0% of Line 10)			0							
12. Article 4 Adjustment (Lines 10-11)				0						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2022	FY2021-22	6/30/2022	FY2021-23	FY2022-23	FY2022-23	FY2022-23	6/30/2023	FY2023-24	FY2023-24
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	2,479,957	12,815	2,492,771	(2,015,362)	0	614,880	0	1,092,289	637,440	1,729,729
Article 4.5										
SUBTOTAL	2,479,957	12,815	2,492,771	(2,015,362)	0	614,880	0	1,092,289	637,440	1,729,729
Article 4/8										
GGBHTD ³	913,170	11,009	924,179	(8,396,950)	0	7,490,436	0	17,665	7,767,384	7,785,049
Petaluma	3,820,168	15,480	3,835,648	(880,466)	0	2,405,670	0	5,360,851	2,412,993	7,773,844
Santa Rosa	9,673,241	50,936	9,724,177	(8,780,495)	0	8,156,373	0	9,100,056	8,676,778	17,776,834
Sonoma County	15,166,844	48,707	15,215,551	(15,912,217)	0	12,076,641	0	11,379,975	12,377,405	23,757,380
SUBTOTAL	29,573,423	126,131	29,699,554	(33,970,127)	0	30,129,120	0	25,858,547	31,234,560	57,093,107
GRAND TOTAL	\$32,053,379	\$138,946	\$32,192,326	(\$35,985,490)	\$0	\$30,744,000	\$0	\$26,950,836	\$31,872,000	\$58,822,836

1. Balance as of 6/30/21 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/21, and FY2021-22 allocations as of 1/31/22.
3. Apportionment to GGBHTD is based on the Sonoma County Transportation Authority's coordinated TDA claim.
4. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.

**FY 2023-24 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
REVENUE-BASED FUNDS (PUC 99314)**

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FY2022-23 STA Revenue Estimate			FY2023-24 STA Revenue Estimate				
1. State Estimate (Aug, 22) ³			\$256,881,538		4. Projected Carryover (Jan, 23)		\$106,348,039
2. Actual Revenue (Aug, 23)					5. State Estimate (Jan, 23)		\$250,544,353
3. Revenue Adjustment (Lines 2-1)					6. Total Funds Available (Lines 4+5)		\$356,892,392
STA REVENUE-BASED APPORTIONMENT BY OPERATOR							
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)	
	6/30/2022	FY2021-23	FY2022-23	6/30/2023	FY2023-24	Total	
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Revenue Estimate ³	Projected Carryover ⁴	Revenue Estimate ⁵	Available For Allocation	
ACCMA - Corresponding to ACE	17,531	0	374,951	392,482	365,701	758,183	
Caltrain	4,201,874	(14,030,039)	12,175,901	2,347,736	11,875,526	14,223,262	
CCCTA	447,230	(745,694)	1,067,479	769,015	1,041,145	1,810,160	
City of Dixon	46,583	0	10,423	57,006	10,166	67,172	
ECCTA	96,506	(468,628)	516,110	143,988	503,378	647,366	
City of Fairfield	22,439	(132,200)	189,416	79,655	184,743	264,398	
GGBHTD	473,888	(4,559,143)	11,683,293	7,598,038	11,395,069	18,993,107	
LAVTA	99,518	(468,141)	512,045	143,422	499,413	642,835	
Marin Transit	2,180,581	(1,500,000)	1,996,710	2,677,291	1,947,451	4,624,742	
NVTA	27,061	(131,587)	144,962	40,436	141,385	181,821	
City of Petaluma	13,441	0	62,197	75,638	60,663	136,301	
City of Rio Vista	16,553	0	3,314	19,867	3,231	23,098	
SamTrans	1,315,038	(10,636,477)	12,211,635	2,890,196	11,910,378	14,800,574	
SMART	475,528	0	2,524,164	2,999,692	2,461,894	5,461,586	
City of Santa Rosa	9,756	(218,570)	209,001	187	203,846	204,033	
Solano County Transit	83,038	(404,070)	445,196	124,164	434,213	558,377	
Sonoma County Transit	54,405	(264,313)	291,142	81,234	283,960	365,194	
City of Union City	7,587	0	158,170	165,757	154,268	320,025	
Vacaville City Coach	122,914	0	33,900	156,814	33,063	189,877	
VTA	1,665,279	(38,676,007)	37,012,180	1,452	36,099,102	36,100,554	
VTA - Corresponding to ACE	9,726	(226,045)	216,319	0	210,982	210,982	
WCCTA	123,734	(518,809)	677,036	281,961	660,333	942,294	
WETA	16,530,199	(5,289,400)	3,320,161	14,560,960	3,238,254	17,799,214	
SUBTOTAL	28,040,411	(78,269,123)	85,835,705	35,606,991	83,718,164	119,325,155	
AC Transit	6,083,987	(29,636,318)	32,652,511	9,100,180	31,846,985	40,947,165	
BART	2,320,804	(3,384,218)	51,166,528	50,103,114	49,904,266	100,007,380	
SFMTA	3,537,941	(79,226,981)	87,226,794	11,537,754	85,074,938	96,612,692	
SUBTOTAL	11,942,732	(112,247,517)	171,045,833	70,741,048	166,826,189	237,567,237	
GRAND TOTAL	\$39,983,143	(\$190,516,640)	\$256,881,538	\$106,348,039	\$250,544,353	\$356,892,392	

1. Balance as of 6/30/22 is from the MTC FY2021-22 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY 2021-22 allocations as of 1/31/23.
3. FY 2022-23 STA revenue generation is based on revised estimates from the State Controller's Office in August 2022.
4. Projected carryover as of 6/30/23 does not include interest accrued in FY2022-23.
5. FY2023-24 STA revenue generation based on February 2023 State Controller's Office (SCO) forecast. SCO expects to update revenue forecasts in August 2023 with new estimates based on latest available actual qualifying revenue.

**FY 2023-24 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
POPULATION-BASED FUNDS (PUC 99313) - FY 2018-19 ONWARDS**

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FY2022-23 STA Revenue Estimate			FY2023-24 STA Revenue Estimate			
1. State Estimate (Aug, 22) ³		\$93,145,482	4. Projected Carryover (Jan, 23)		\$106,985,289	
2. Actual Revenue (Aug, 23)			5. State Estimate ⁴ (Jan, 23)		\$90,847,614	
3. Revenue Adjustment (Lines 2-1)			6. Total Funds Available (Lines 4+5)		\$197,832,903	
STA POPULATION-BASED COUNTY BLOCK GRANT AND REGIONAL PROGRAM APPORTIONMENT						
Column	A	C	D	E=Sum(A:D)	F	G=Sum(E:F)
	6/30/2022	FY2021-23	FY2022-23	6/30/2023	FY2023-24	Total
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Revenue Estimate ³	Projected Carryover ⁴	Revenue Estimate ⁵	Available For Allocation
County Block Grant ⁶						
Alameda	558,769	(1,377,503)	5,360,109	4,541,375	11,241,461	15,782,836
Contra Costa	690,980	(8,454,249)	12,026,694	4,263,425	14,106,608	18,370,033
Marin	180,246	(1,512,985)	2,115,180	782,440	3,628,920	4,411,360
Napa	110,716	(1,179,757)	2,059,151	990,110	2,219,817	3,209,927
San Francisco	1,138,688	0	1,659,985	2,798,673	5,377,125	8,175,798
San Mateo	4,556,334	(1,846,597)	1,840,336	4,550,073	3,219,424	7,769,497
Santa Clara	435,911	(4,421,309)	3,985,763	365	8,961,581	8,961,946
Solano	11,766,524	(8,411,328)	6,234,285	9,589,481	6,678,552	16,268,033
Sonoma	1,003,477	(7,376,626)	8,247,973	1,874,824	8,159,842	10,034,666
SUBTOTAL	20,441,646	(34,580,354)	43,529,474	29,390,766	63,593,330	92,984,096
Regional Program	28,471,252	(33,401,952)	27,943,645	23,012,945	18,835,831	41,848,776
WestCat Feeder Bus Support					418,453	418,453
Means-Based Transit Fare Program	34,907,363	(3,000,000)	0	31,907,363	8,000,000	39,907,363
American Rescue Program Exchange	0	0	21,672,364	21,672,364	0	21,672,364
Transit Emergency Service Contingency Fund ⁸	1,001,851	0	0	1,001,851	0	1,001,851
GRAND TOTAL	\$84,822,112	(\$70,982,306)	\$93,145,482	\$106,985,289	\$90,847,614	\$197,832,903

1. Balance as of 6/30/22 is from the MTC FY2021-22 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed. Balances from the Northern County/Small Operator and Regional Paratransit programs, previously established by MTC Resolution 3837, have been transferred to the appropriate County Block Grant program.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY2022-23 allocations as of 1/31/23.

3. FY 2022-23 STA revenue generation is based on revised estimates from the Governor's proposed budget in January 2022, and reflects the remaining balance after satisfying the American Rescue Plan exchange obligations

4. The projected carryover as of 6/30/2023 does not include interest accrued in FY 2022-23.

5. FY2023-24 STA revenue generation based on forecasts from the State Controller's Office from January 2023.

6. County Block Grant adopted through MTC Resolution 4321 in February 2018, and funded through a 70% share of STA Population-Based funds.

7. The County Block Grant program was suspended in FY23, per amendment to MTC Resolution 4321, Revised. Revenues in excess of the American Rescue Plan exchange obligation will be allocated directly to operators. These amounts are reflected in column D.

8. Funds for the Transit Emergency Service Contingency Fund are taken "off the top" from the STA Population-Based program.

**FY 2023-24 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
POPULATION-BASED FUNDS (PUC 99313) - AMERICAN RESCUE PLAN EXCHANGE (FY 2022-23)**

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Apportionment Jurisdictions ¹	FY2022-23 Aug. 2022 Estimate ²	ARP Exchange Amount ³	Estimated FY2022-23 Revenue to Operators
Alameda	\$11,525,799	\$6,165,689	\$5,360,109
AC Transit	\$6,942,565	\$4,807,453	\$2,135,112
BART	\$1,116,850	\$780,570	\$336,280
LAVTA	\$2,484,962	\$535,322	\$1,949,640
Union City	\$981,422	\$42,344	\$939,078
Contra Costa	\$14,463,415	\$2,436,722	\$12,026,694
County Connection	\$6,826,732	\$548,920	\$6,277,812
Tri Delta	\$4,353,488	\$178,426	\$4,175,062
WestCAT	\$1,099,220	\$270,627	\$828,593
AC Transit	\$2,082,732	\$1,367,989	\$714,743
BART	\$101,244	\$70,760	\$30,484
Marin	\$3,720,708	\$1,605,529	\$2,115,180
GGBHTD	\$1,361,916	\$1,361,916	\$0
Marin Transit	\$2,282,007	\$243,613	\$2,038,394
SMART	\$76,785	\$0	\$76,785
Napa	\$2,275,965	\$216,814	\$2,059,151
NVTA	\$2,275,965	\$216,814	\$2,059,151
San Francisco	\$5,513,132	\$3,853,147	\$1,659,985
SFMTA	\$5,513,132	\$3,853,147	\$1,659,985
San Mateo	\$3,300,855	\$1,460,519	\$1,840,336
SamTrans	\$3,300,855	\$1,460,519	\$1,840,336
Santa Clara	\$9,188,253	\$5,202,490	\$3,985,763
VTA	\$9,188,253	\$5,202,490	\$3,985,763
Solano	\$6,847,477	\$613,192	\$6,234,285
Solano County Operators	\$6,847,477	\$613,192	\$6,234,285
Sonoma	\$8,366,235	\$868,262	\$7,497,973
Sonoma County Operators	\$8,366,235	\$118,262	\$8,247,973
GRAND TOTAL	\$65,201,837	\$21,672,364	\$43,529,474

1. FY 2022-23 programming amounts for each county reflect each county's share of the STA County Block Grant program established in MTC Resolution 4321, Revised.

The County Block Grant program is suspended for FY2022-23, and will resume in FY 2023-24.

2. Programming amounts by operator reflect county transportation agency adopted frameworks for FY 23 in Alameda, Contra Costa, Napa, Santa Clara, Solano and Sonoma counties, a transit operator agreement in Marin County, and a direct apportionment of funds to the local transit operator in San Francisco and San Mateo counties.

3. American Rescue Plan (ARP) exchange amounts for each operator are shown in order to fulfill the funding exchange detailed in MTC Resolution 4481, Revised.

**FY 2023-24 FUND ESTIMATE
BRIDGE TOLLS¹**

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BRIDGE TOLL APPORTIONMENT BY CATEGORY

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D=Sum(A:C)</i>	<i>E</i>	<i>F=D+E</i>
	6/30/2022	FY2021-23	FY2022-23	6/30/2023	FY2023-24	Total
Fund Source	Balance ²	Outstanding Commitments ³	Programming Amount ⁴	Projected Carryover	Programming Amount ⁴	Available for Allocation
MTC 2% Toll Revenues						
Ferry Capital	7,741,314	(6,336,155)	1,000,000	2,405,159	1,000,000	3,405,159
Bay Trail	64,034	(514,034)	450,000	0	450,000	450,000
Studies	594,098	(319,080)	0	275,018	0	275,018
SUBTOTAL	8,399,446	(7,169,269)	1,450,000	2,680,177	1,450,000	4,130,177
5% State General Fund Revenues						
Ferry	21,031,555	(14,986,000)	3,155,142	9,200,697	3,186,694	12,387,391
Bay Trail	348,277	(635,645)	287,369	0	290,242	290,242
SUBTOTAL	21,379,832	(15,621,645)	3,442,511	9,200,697	3,476,936	12,677,633

1. BATA Resolution 93 and MTC Resolution 3948 required BATA to make a payment to MTC equal to the estimated present value of specified fund transfers for the next 50 years (FY2010-11 through FY2059-60) and relieved BATA from making those fund transfers for that 50 year period. The MTC 2% Toll Revenues listed above, commencing in FY2010-11, are funded from this payment.

2. Balance as of 6/30/22 is from the MTC FY2021-22 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

3. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY2022-23 allocations and pending disencumbrances as of 1/31/23.

4. MTC Resolution 4015 states that annual funding levels are established and adjusted through the fund estimate for 2%, and 5% bridge toll revenues.

FY 2023-24 FUND ESTIMATE
AB1107 FUNDS
AB1107 IS TWENTY-FIVE PERCENT OF THE ONE-HALF CENT BART DISTRICT SALES TAX

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FY2022-23 AB1107 Revenue Estimate					FY2023-24 AB1107 Estimate				
1. Original MTC Estimate (Feb, 22)			\$100,000,000		4. Projected Carryover (Jun, 21)			\$0	
2. Revised Estimate (Feb, 23)			\$104,000,000		5. MTC Estimate (Feb, 22)			\$104,000,000	
3. Revenue Adjustment (Lines 2-1)			\$4,000,000		6. Total Funds Available (Lines 4+5)			\$104,000,000	
AB1107 APPORTIONMENT BY OPERATOR									
Column	A	B	C=Sum(A:B)	D	E	F	G=Sum(A:F)	H	I=Sum(G:H)
	6/30/2021	FY2020-21	6/30/2021	FY2020-22	FY2021-22	FY2021-22	6/30/2022	FY2022-23	FY2022-23
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
AC Transit	0	0	0	(52,000,000)	50,000,000	2,000,000	0	52,000,000	52,000,000
SFMTA	0	0	0	(52,000,000)	50,000,000	2,000,000	0	52,000,000	52,000,000
TOTAL	\$0	\$0	\$0	(\$104,000,000)	\$100,000,000	\$4,000,000	\$0	\$104,000,000	\$104,000,000

1. Balance as of 6/30/22 is from the MTC FY2020-21 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/22, and FY2022-23 allocations as of 1/31/23.

**FY 2023-24 FUND ESTIMATE
TDA & STA FUND SUBAPPORTIONMENT FOR ALAMEDA & CONTRA COSTA COUNTIES
& IMPLEMENTATION OF OPERATOR AGREEMENTS**

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ARTICLE 4.5 SUBAPPORTIONMENT					
Apportionment Jurisdictions		Alameda Article 4.5	Contra Costa Article 4.5		
Total Available		\$6,200,276	\$2,789,755		
AC Transit		\$5,450,068	\$860,536		
LAVTA		\$300,683			
Pleasanton		\$61,311			
Union City		\$388,215			
CCCTA					
ECCTA			\$1,161,778		
WCCTA			\$590,707		
			\$176,732		
IMPLEMENTATION OF OPERATOR AGREEMENTS					
Apportionment of BART Funds to Implement Transit Coordination Program					
Apportionment Jurisdictions		Total Available Funds (TDA and STA) FY 2023-24			
CCCTA		\$640,531			
LAVTA		\$663,250			
ECCTA		\$2,532,085			
WCCTA		\$2,352,033			
Fund Source		Apportionment Jurisdictions	Claimant	Amount ¹	Program
Total Available BART STA Revenue-Based Funds ²			\$100,007,380		
STA Revenue-Based		BART	CCCTA ²	(640,531)	BART Feeder Bus
STA Revenue-Based		BART	LAVTA ²	(450,860)	BART Feeder Bus
STA Revenue-Based		BART	ECCTA ²	(2,532,085)	BART Feeder Bus
STA Revenue-Based		BART	WCCTA ^{2, 3}	(1,982,905)	BART Feeder Bus
Total Payment			(5,606,381)		
Remaining BART STA Revenue-Based Funds			\$94,400,999		
Total Available BART TDA Article 4 Funds ²			\$581,518		
TDA Article 4		BART-Alameda	LAVTA	(212,390)	BART Feeder Bus
TDA Article 4		BART-Contra Costa	WCCTA	(369,128)	BART Feeder Bus
Total Payment			(581,518)		
Remaining BART TDA Article 4 Funds			\$0		
Total Available SamTrans STA Revenue-Based Funds			\$14,800,574		
STA Revenue-Based		SamTrans	BART	(801,024)	SFO Operating Expense
Total Payment			(801,024)		
Remaining SamTrans STA Revenue-Based Funds			\$13,999,550		
Total Available Union City TDA Article 4 Funds			\$18,638,224		
TDA Article 4		Union City	AC Transit	(116,699)	Union City service
Total Payment			(116,699)		
Remaining Union City TDA Article 4 Funds			\$18,521,525		

1. Amounts assigned to the claimants in this page will reduce the funds available for allocation in the corresponding apportionment jurisdictions by the same amounts, and may include carryover from previous years

2. Per an agreement between BART and East Bay bus operators, FY24 feeder bus payments will be reduced by \$397,946 for CCCTA, \$221,083 for LAVTA, \$844,028 for Tri-Delta, and and \$1,157,512 for WCCTA.

3. FY2022-23 marked the conclusion of the WestCat Feeder Bus Capital Payment agreement.

**FY 2023-24 FUND ESTIMATE
STA SPILLOVER FUNDING AGREEMENT PER RESOLUTION 3814**

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PROPOSITION 1B TRANSIT FUNDING PROGRAM -- POPULATION BASED SPILLOVER DISTRIBUTION

Apportionment Category	MTC Resolution 3814	%	FY 2007-08	FY2009-20	MTC Res-3833	MTC Res-3925	MTC Res-4509 (STP/CMAQ, LCTOP, STA)	FY2021-22
	Spillover Payment Schedule		Spillover Distribution	Spillover Distribution	(RM 1 Funding)	(STP/CMAQ Funding)		Remaining
Lifeline	10,000,000	16%	1,028,413	0	0	8,971,587		0
Small Operators / North Counties	3,000,000	5%	308,524	0	0	2,691,476		0
BART to Warm Springs	3,000,000	5%	308,524	0	0	0		0
eBART	3,000,000	5%	327,726	0	2,672,274	0		0
SamTrans ¹	43,000,000	69%	4,422,174	0	0	19,288,913	19,600,000	0
TOTAL	\$62,000,000	100%	\$6,395,361	\$0	\$0	\$30,951,976	\$19,600,000	\$0

1. On January 26, 2022, the MTC Commission adopted MTC Resolution No. 4509, which approved a funding commitment of \$19.6 million to SamTrans to satisfy the terms of the 2007 Caltrain Right of Way settlement agreement. On June 22, 2022, the MTC Commission revised MTC Resolution Nos. 4273, 4505, and 4520 to reprogramm a total of \$19.6 million in Low Carbon Transit Operations Program, One Bay Area Grant Program, and State Transit Assistance funds to SamTrans to fulfill the commitment.

2. With all remaining balances now satisfied, this page will be removed from future MTC Fund Estimates.

FY 2023-24 FUND ESTIMATE
CAP AND TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)

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FY2022-23 LCTOP Revenue Estimate ¹		FY2023-24 LCTOP Revenue Estimate ²	
1. Estimated Statewide Appropriation (Jan, 23)	\$130,000,000	5. Estimated Statewide Appropriation (Jan, 23)	\$105,000,000
2. MTC Region Revenue-Based Funding	\$34,829,978	6. Estimated MTC Region Revenue-Based Funding	\$28,131,905
3. MTC Region Population-Based Funding	\$12,629,382	7. Estimated MTC Region Population-Based Funding	\$10,200,655
4. Total MTC Region Funds	\$47,459,360	8. Estimated Total MTC Region Funds	\$38,332,560

1. The FY 2022-23 LCTOP revenue generation is based on the \$163 million revised estimate included in the FY 2023-24 Proposed State Budget.
2. The FY 2023-24 LCTOP revenue generation is based on the \$182 million estimated in the FY 2023-24 Proposed State Budget.

**FY 2023-24 FUND ESTIMATE
STATE OF GOOD REPAIR (SGR) PROGRAM
REVENUE-BASED FUNDS**

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FY2022-23 SGR Revenue-Based Revenue Estimate					FY2023-24 SGR Revenue-Based Revenue Estimate				
1. State Estimate (Aug, 22)					\$31,477,988	4. Projected Carryover (Jan, 23)			(\$89)
2. Actual Revenue (Aug, 23)						5. State Estimate (Jan, 23)			\$33,656,207
3. Revenue Adjustment (Lines 2-1)						6. Total Funds Available (Lines 4+5)			\$33,656,118
STATE OF GOOD REPAIR PROGRAM REVENUE-BASED APPORTIONMENT BY OPERATOR									
Column	A			B	C	D=Sum(A:C)	E	F=Sum(D:E)	
	6/30/2022	FY2021-23	FY2021-23	FY2021-23	FY2022-23	6/30/2022	FY2023-24	Total	
Apportionment Jurisdictions	Balance (w/interest)	Actuals	Encumbrances	Outstanding Commitments	Revenue Estimate ¹	Projected Carryover	Revenue Estimate ²	Available For Allocation	
ACCMA - Corresponding to ACE	0	(15,373)	(31,951)	(47,324)	47,324	0	49,125	49,125	
Caltrain	0	(499,215)	(1,037,559)	(1,536,774)	1,536,774	0	1,595,267	1,595,267	
CCCTA	0	(43,767)	(90,964)	(134,731)	134,731	0	139,859	139,859	
City of Dixon	0	0	(1,316)	(1,316)	1,316	0	1,366	1,366	
ECCTA	0	(21,161)	(43,980)	(65,141)	65,141	0	67,620	67,620	
City of Fairfield	0	(7,766)	(16,141)	(23,907)	23,907	0	24,817	24,817	
GGBHTD	0	(479,018)	(995,582)	(1,474,600)	1,474,600	0	1,530,726	1,530,726	
LAVTA	0	(20,994)	(43,634)	(64,628)	64,628	0	67,087	67,087	
Marin Transit	0	(81,866)	(170,148)	(252,014)	252,014	0	261,606	261,606	
NVTA	0	(5,943)	(12,353)	(18,296)	18,296	0	18,993	18,993	
City of Petaluma	0	(2,550)	(5,300)	(7,850)	7,850	0	8,149	8,149	
City of Rio Vista	0	(136)	(282)	(418)	418	0	434	434	
SamTrans	0	(500,680)	(1,040,604)	(1,541,284)	1,541,284	0	1,599,949	1,599,949	
SMART	0	(103,491)	(215,095)	(318,586)	318,586	0	330,712	330,712	
City of Santa Rosa	0	(8,569)	(17,810)	(26,379)	26,379	0	27,383	27,383	
Solano County Transit	0	(18,253)	(37,937)	(56,190)	56,190	0	58,329	58,329	
Sonoma County Transit	0	(11,937)	(24,809)	(36,746)	36,746	0	38,145	38,145	
City of Union City	0	(6,485)	(13,478)	(19,963)	19,963	0	20,723	20,723	
Vacaville City Coach	0	(1,390)	(2,889)	(4,279)	4,279	0	4,441	4,441	
VTA	0	(1,517,510)	(3,153,961)	(4,671,471)	4,671,471	0	4,849,277	4,849,277	
VTA - Corresponding to ACE	0	(8,869)	(18,434)	(27,303)	27,303	0	28,342	28,342	
WCCTA	0	(27,759)	(57,783)	(85,542)	85,452	(90)	88,704	88,614	
WETA	0	(136,128)	(282,924)	(419,052)	419,052	0	435,002	435,002	
SUBTOTAL	3	(3,518,861)	(7,314,933)	(10,833,794)	10,833,704	(90)	11,246,056	11,245,966	
AC Transit	0	(1,338,761)	(2,782,457)	(4,121,218)	4,121,218	0	4,278,080	4,278,080	
BART	0	(2,097,840)	(4,360,114)	(6,457,954)	6,457,954	0	6,703,756	6,703,756	
SFMTA	0	(3,576,326)	(7,432,953)	(11,009,279)	11,009,279	1	11,428,315	11,428,316	
SUBTOTAL	1	(7,012,927)	(14,575,524)	(21,588,451)	21,588,451	1	22,410,151	22,410,152	
GRAND TOTAL	\$4	(\$10,531,788)	(\$21,890,457)	(\$32,422,245)	\$32,422,155	(\$89)	\$33,656,207	\$33,656,118	

1. FY2022-23 State of Good Repair Program revenue generation is based on August 2022 estimates from the State Controller's Office (SCO).

5. FY2023-24 State of Good Repair Program revenue generation based on February 2023 State Controller's Office (SCO) forecast. SCO will update revenue forecasts in August 2023 with new estimates based on latest available actual qualifying revenue.

**FY 2023-24 FUND ESTIMATE
STATE OF GOOD REPAIR (SGR) PROGRAM
POPULATION-BASED FUNDS**

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FY2022-23 SGR Population-Based Revenue Estimate		FY2023-24 SGR Population-Based Revenue Estimate				
1. State Estimate (Aug, 22)	\$11,756,303	4. Projected Carryover (Jan, 23)		\$175,483		
2. Actual Revenue (Aug, 23)		5. State Estimate (Jan, 23)		\$12,203,772		
3. Revenue Adjustment (Lines 2-1)		6. Total Funds Available (Lines 4+5)		\$12,379,255		
SGR PROGRAM POPULATION-BASED APPORTIONMENT						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2022	FY2021-23	FY2022-23	6/30/2022	FY2023-24	Total
Apportionment	Balance (w/interest)	Outstanding Commitments	Revenue Estimate ¹	Projected Carryover	Revenue Estimate ²	Available For Allocation
Clipper®/Clipper® 2.0 ³	24,080,508	(35,661,328)	11,756,303	175,483	12,203,772	12,379,255
GRAND TOTAL	\$24,080,508	(\$35,661,328)	\$11,756,303	\$175,483	\$12,203,772	\$12,379,255

1. FY2021-22 State of Good Repair Program revenue generation is based on August 2021 estimates from the State Controller's Office (SCO).

2. FY2022-23 State of Good Repair Program revenue generation is based on January 2022 estimates from the State Controller's Office (SCO).

3. State of Good Repair Program funds are shown here according to the policy in MTC Resolution 4321.

**Metropolitan Transportation Commission
Programming and Allocations Committee**

February 8, 2023

Agenda Item 3b - 23-0163

MTC Resolution No. 4556. FY 2023-24 MTC Fund Estimate

Subject:

Annual Fund Estimate and proposed apportionment and distribution of approximately \$1 billion in Transportation Development Act (TDA) Local Transportation Fund, State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill 1107 (AB 1107), transit-related bridge toll, and Low Carbon Transit Operations Program (LCTOP) funds for FY 2023-24.

Background:

MTC is required by state statute to prepare and adopt an annual fund estimate of TDA Local Transportation Fund (LTF) ¼ cent sales tax revenues for the upcoming fiscal year by March 1st. This estimate assists the Bay Area's transit operators in budgeting for the next fiscal year, in this case FY 2023-24. The fund estimate prepared by MTC also includes several other fund sources which MTC allocates to transit operators, primarily for operations.

Economic Overview

The Bay Area economy has improved since the initial shocks caused by the Covid-19 pandemic. Unemployment rates have returned to close to pre-pandemic levels and taxable sales largely outperformed initial estimates. However, significant uncertainty remains about the general health of the economy, shifts in population which continue to trend lower, telecommute share which remains high, and transit ridership where recovery continues to be sluggish. All these factors could impact transit operating revenues significantly. Accordingly, it is prudent for transit operators to continue to budget with great caution.

Transportation Development Act (TDA)

State law requires county auditors to submit annual estimates of the ¼-cent TDA sales tax revenue generation to MTC by February 1st. A summary of the county auditors' mid-year estimates indicate that regional TDA revenue generation is expected to improve by 5% in the current year of FY 2022-23 to \$508 million, with a subsequent increase of 2.1% in FY 2023-24 to \$519 million.

There remains some uncertainty about the attribution of sales taxes for non-retail (online) sales in California. In October 2021, the California Department of Tax and Fee Administration (CDTFA)

issued a notice to Santa Clara County that an audit uncovered an erroneous attribution of sales on eBay as sales taxes to Santa Clara County instead of a use tax to point of delivery jurisdictions. An appeal has been filed by the City of San Jose and Santa Clara County, and a negative ruling would result in a reduction of TDA sales tax revenues in Santa Clara County going forward and a rescission of some already allocated funds dating back to October 2019. The CDTFA is also conducting audits of other major online retailers and it is possible that additional situations similar to the eBay case could be found which may impact other Bay Area jurisdictions. The result of the appeal is still pending.

Assembly Bill 1107 (AB 1107)

A portion (25%) of BART's half-cent sales tax revenue generated in Alameda, Contra Costa, and San Francisco counties is subject to allocation by MTC, and MTC staff is responsible for estimating the annual revenue generation. Based on actual performance to date along with sales tax projections from county auditor offices, staff proposes to revise the current FY 2022-23 estimate upwards to \$104 million and to forecast FY 2023-24 revenues of \$104 million. This amount would be split evenly between SFMTA and AC Transit per longstanding Commission policy.

State Transit Assistance (STA)

Governor Newsom's proposed FY 2023-24 State Budget estimates \$932 million in STA funds statewide in FY 2023-24. Based on this estimate, the Bay Area would receive approximately \$388 million (\$297 million in Revenue-Based and \$91 million in Population-Based) in FY 2023-24 STA funds. As noted in the Issues section below, FY 2023-24 is the first year that the STA Revenue-Based distribution should be based on actual FY 2021-22 qualifying revenues after several years of the calculation being frozen at pre-COVID-19 FY 2018-19 qualifying revenue levels. The revenue distribution factors for certain Bay Area operators are dramatically different from prior years and will require further investigation with the State.

While the Fund Estimate will reflect the latest available information from the State Controller's Office for the current year (FY 2022-23) estimates, the Governor's budget also forecasts additional increases in FY 2022-23 STA revenues. If the estimates in the Governor's Proposed Budget are correct, the Bay Area will see an increase of \$119 million STA revenues in FY 2022-

23 over FY 2021-22 levels, and \$127 million in FY 2023-24 over FY 2021-22 levels. STA revenues are based on a sales tax on diesel fuel, and higher prices and consumption in recent years have resulted in higher revenues to the STA programs. Based on data from the US Energy Information Administration, diesel retail price in California reached a peak of \$6.91 per gallon in June 2022, but have come down 20% to \$5.48 in January 2023. Staff will return to the Commission to update the estimates following the state budget approval later this year.

State of Good Repair (SGR) Program

Senate Bill (SB) 1 established the State of Good Repair (SGR) Program which will bring \$46 million to the Bay Area in FY 2023-24 for transit capital state of good repair projects. The funds from the SGR Program follow the same state-wide distribution policies as the regular STA program, with a Revenue-Based and Population-Based program.

Bridge Tolls

In April 2010, MTC Resolution No. 3948 resulted in a lump sum payment from BATA to MTC for an amount equal to the 50-year present value of AB 664, RM 1, and 2% Toll revenue. Future payments from these toll revenues will be made from this lump sum, in accordance with Commission policies established in MTC Resolution Nos. 4015 and 4022.

Cap and Trade – Low Carbon Transit Operations Program

The FY 2023-24 Fund Estimate includes details on funding that will flow to the region through the Low Carbon Transit Operations Program, which is a component of the state Cap and Trade program. In FY 2023-24, the region is projected to receive \$38 million from the program based on an estimate from Governor Newsom's proposed FY 2023-24 State Budget. Apportionments of these funds are guided by Caltrans policies for the Revenue-Based program (which are the same as the STA Revenue-Based program) and by the MTC Commission for the Population-Based program through the MTC Cap and Trade Framework (MTC Resolution No. 4130, Revised).

Issues:

1. STA- Revenue Based Calculations – Funds from the STA Revenue-Based program are apportioned through a formula-based calculation using operator qualifying revenues (ie. fare revenues, local sales tax, parking revenues). While these distribution factors have been frozen at FY 2018-19 levels since FY 2020-21 due to impacts of the COVID-19 pandemic, the FY 2023-24 revenue estimates should be calculated using actual qualifying revenues from FY 2021-22. The factors for SFMTA are significantly different than expected, resulting in drastic impacts to revenue estimates. Staff is working with the State Controller’s Office and SFMTA to investigate, and Attachment A will remain under development until the issue is resolved.
2. BART Feeder Bus Agreement – A 1997 agreement between BART and four East Bay bus operators (County Connection, LAVTA, Tri-Delta, and WestCAT) established a funding mechanism for BART to support feeder bus operators using BART’s STA Revenue-Based and TDA sales tax funds. Initial payment amounts were established by transition agreements, and subsequent payments over the last 25 years have been calculated based on growth of AB 1107 ½-cent sales tax revenues. BART had communicated an interest to amend the agreement before the pandemic and has recently expressed greater urgency given its looming fiscal cliff. Discussions towards a resolution are ongoing, and an update on progress will be provided verbally at the February 2023 Programming and Allocations Committee meeting.

Recommendations:

Refer MTC Resolution No. 4556 to the Commission for approval.

Attachments:

- MTC Resolution No. 4556 (*Attachment A to this Resolution is under development and will be posted prior to the meeting*).
- Attachment 1: Presentation slides



Alix A. Bockelman

Date: February 22, 2023
W.I.: 1511
Referred by: PAC

ABSTRACT

MTC Resolution No. 4556

This resolution approves the FY 2023-24 Fund Estimate, including the distribution and apportionment of Transportation Development Act (TDA), State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill (AB) 1107 sales tax, Low Carbon Transit Operations (LCTOP) cap-and-trade auction revenues, and transit-related bridge toll funds.

Further discussion of this action is contained in the MTC Programming and Allocations Summary Sheets dated February 8, 2023.

Date: February 22, 2023
W.I.: 1511
Referred by: PAC

RE: Determination of Transportation Development Act (TDA) Area Apportionments and Proposed Distribution of Operating Funds for FY 2023-24

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4556

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, the Transportation Development Act (TDA), Public Utilities Code (PUC) Sections 99200 *et seq.*, provides that funds are made available from the Local Transportation Fund (LTF) for various transportation purposes; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6620, the County Auditor for each of the nine counties in the Bay Area has submitted the revised and new TDA fund estimates for FY 2022-23 and FY 2023-24 as shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC is required to determine and advise all prospective claimants, prior to March 1 each year, of all area apportionments from the LTF for the following fiscal year pursuant to 21 California Code of Regulations Section 6644; and

WHEREAS, all area apportionments of TDA funds for the 2023-24 fiscal year are shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC has prepared a proposed distribution of operating/capital assistance funds, including TDA, State Transit Assistance (STA) pursuant to Public Utilities Code § 99310 *et seq.*, State of Good Repair (SGR) Program pursuant to Public Utilities Code § 99312.1, Low Carbon Transit Operations Program (LCTOP) pursuant to Health and Safety Code § 39719(b)(1)(B), the twenty-five percent (25%) of the one-half cent transaction and use tax collected pursuant to PUC Section 29142.2 (AB 1107), and estimates of certain toll bridge revenues (SHC §§ 30910 *et seq.*), in order to provide financial information to all prospective claimants to assist them in developing budgets in a timely manner; and

WHEREAS, the proposed distribution of such operating assistance funds is also shown in Attachment A; now, therefore, be it

RESOLVED, that MTC approves the area apportionments of TDA funds, and the proposed distribution of operating assistance funds for the 2023-24 fiscal year as shown in Attachment A, subject to the conditions noted therein; and, be it further

RESOLVED, that MTC intends to allocate operating assistance funds for the 2023-24 fiscal year, based on the area apportionments of TDA funds, the proposed distribution of operating assistance funds and upon the receipt of appropriate claims from eligible claimants; and, be it further

RESOLVED, that Attachment A may be revised by the MTC Executive Director or his/her designee to reflect funds returned to the Local Transportation Fund and expired capital allocations or by approval of the MTC Programming and Allocations Committee, except that any significant changes shall be submitted to the full Commission for approval.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on February 22, 2023.

MTC Resolution No. 4556

FY 2023-24 MTC Fund Estimate

MTC Programming and Allocations Committee

February 8, 2023



Fund Estimate Background

- State law requires MTC to complete a Fund Estimate by March 1st annually
- Assists transit operators in budgeting
- Approx. 40% of Bay Area transit operating revenues are based on sales taxes
- As expected, caution is warranted in budgeting for FY 2023-24 given uncertainties around the ongoing impacts of COVID-19 on public transit
- **FY 2023-24 Fund Estimate identifies for distribution ~\$1 billion, mostly for transit operations**



Fund Estimate Overview

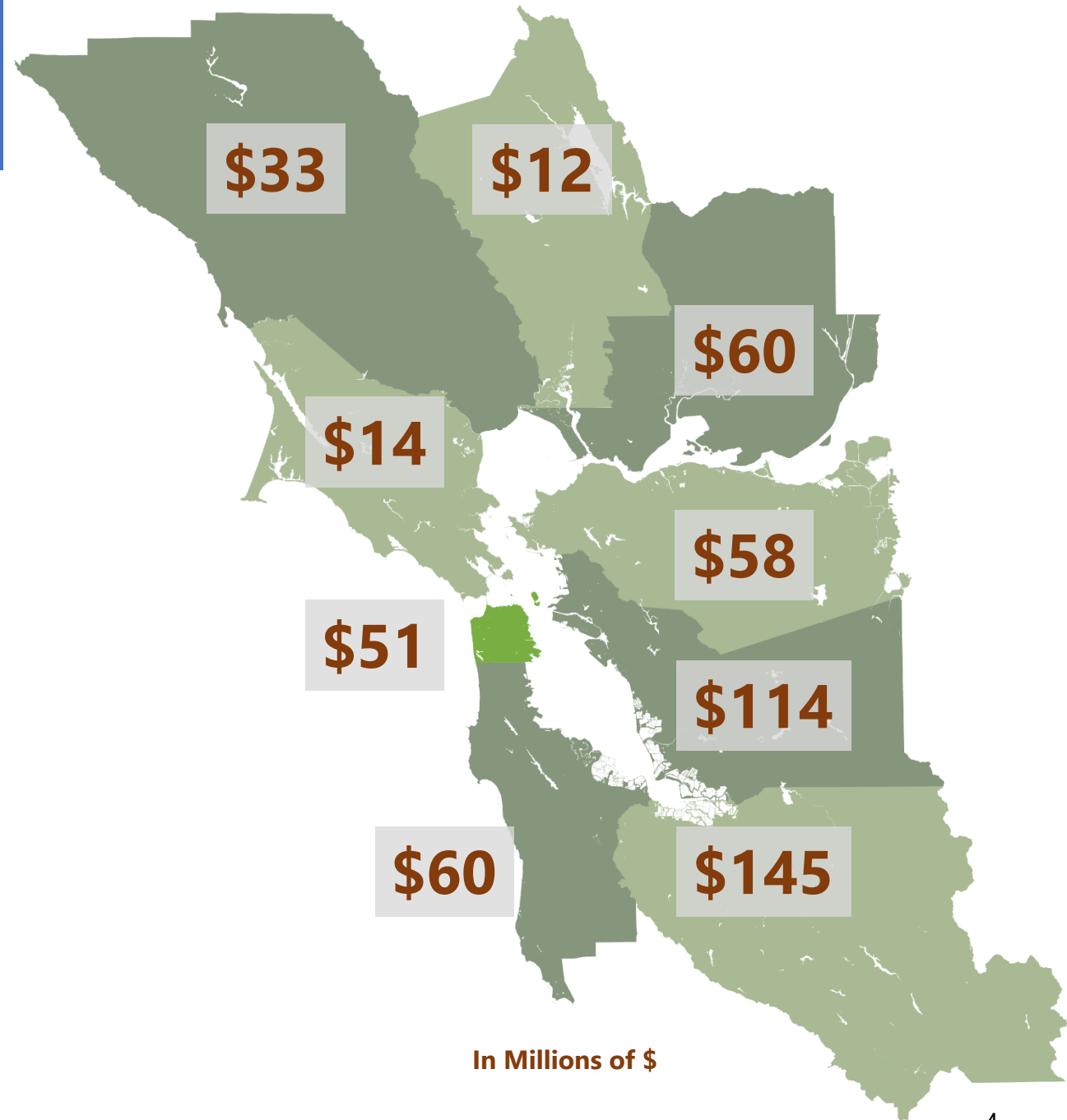
	Program	Description	FY 2021-22 Actuals	FY 2022-23 Revised Estimates	FY 2023-24 Estimates
Sales Taxes and Tolls	Transportation Development Act (TDA) ¼ ¢ Sales Tax	¼ ¢ sales tax in each county	\$481M	\$508M	\$519M
	AB 1107 ½ ¢ Sales Tax	MTC administers 25% of the revenue from the ½ ¢ sales tax in the three BART district counties	\$104M	\$104M	\$104M
	Bridge Tolls	MTC 2% Toll Revenues and 5% State General Fund Revenues	\$5M	\$5M	\$5M
STA Formula	State Transit Assistance (STA)	Sales tax on diesel fuel in CA	\$260M	\$350M	\$388M*
	State of Good Repair (SGR) Program	Transportation Improvement Fee (vehicle registration fee)	\$43M	\$44M	\$52M
	Low Carbon Transit Operations Program (LCTOP)	5% of Cap-and-Trade auction revenues	\$70M	\$47M	\$43M

Note: Estimated revenue amounts are rounded to nearest million.

* There are inconsistencies with the underlying distribution factors. Staff is working to reconcile these issues.

TDA Sales Tax Forecast FY 2023-24

- Estimates for each county prepared by individual county Auditor/Controllers
- FY23 (Current Year) estimates revised to **\$508M**
 - Up 5% from original \$484M FY23 estimate
 - Up 6% from FY22 Actuals (\$481M)
- FY24 estimates projected to be 2.1% higher at **\$519M**
 - Contra Costa, Napa, and San Mateo projecting ~5% growth over FY22 revised estimates
- Does not account for possible impacts due to eBay sales tax adjustment in Santa Clara



STA Formula Programs

FY 2023-24

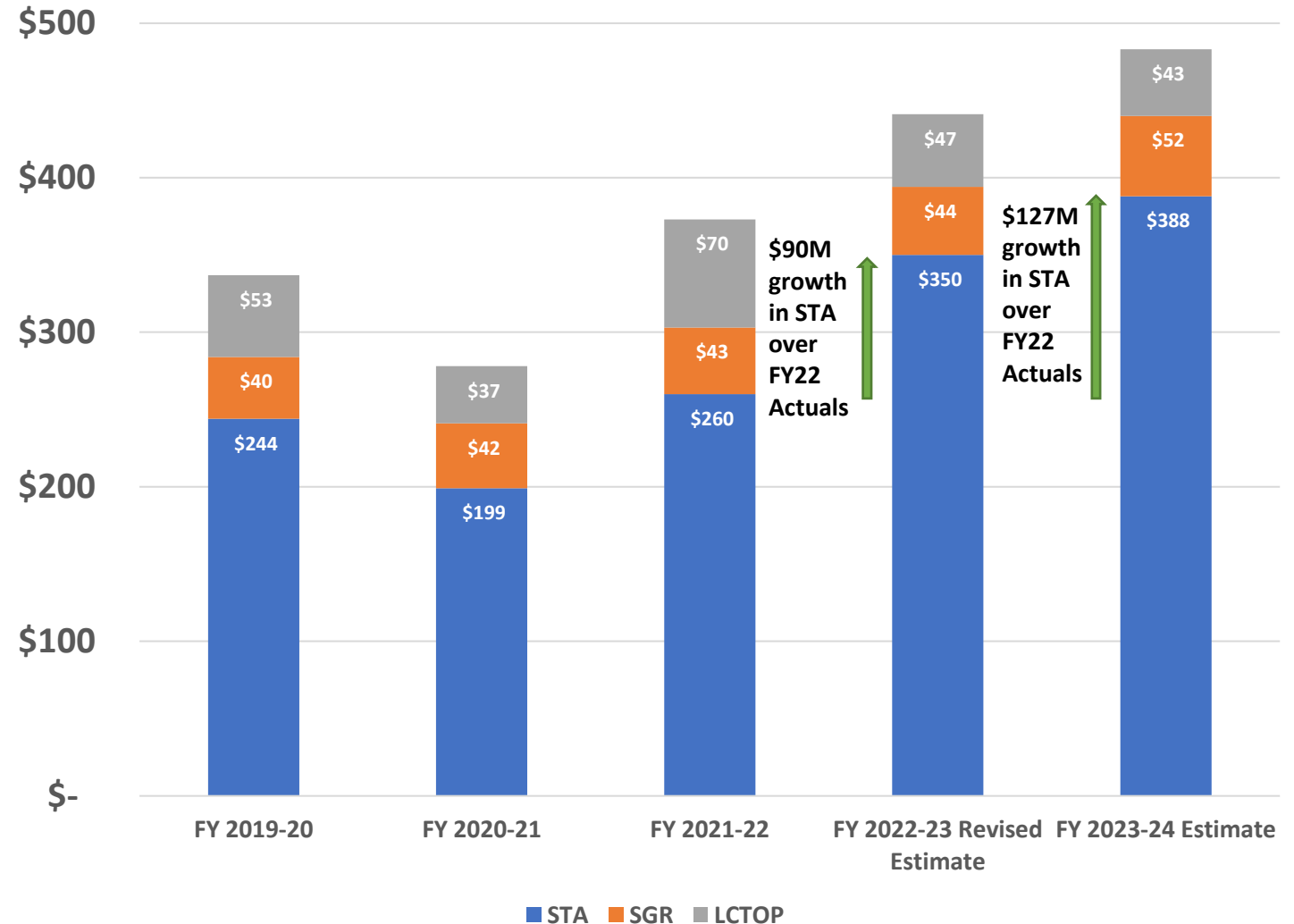
State Transit Assistance (STA) formula splits statewide revenue 50/50 between a Revenue-Based program and a Population-Based program

STA revenues are derived from a sales tax on diesel fuel. Increases in diesel prices in recent years have contributed to substantial increases in STA revenues compared to FY22

Revenue-Based funds flow to transit operators via MTC based on their qualifying local revenue

Population-Based funds flow to the Bay Area based on our ~19% share of the state's population and are programmed by MTC

FY 2023-24 forecast of \$483 million for the Bay Area in STA, State of Good Repair (SGR) Program and Low Carbon Transit Operations Program (LCTOP) revenue



Issues Related to TDA/STA Programs

State Transit Assistance

- The STA Revenue-Based program uses distribution factors based on an operator's qualifying revenue
- Qualifying revenues have been frozen for several years to mitigate impacts due to the COVID-19 pandemic
- The freeze has been lifted for FY 2023-24, which is based on actual qualifying revenues from FY 2021-22
- Qualifying revenues for SFMTA are significantly different than expected, resulting in substantially lower estimates for SFMTA
- Staff is working with the State Controller's Office (SCO) and SFMTA to investigate and resolve the issue

Feeder Bus Agreement

- A 1997 agreement establishes a funding mechanism for BART to support four East Bay bus operators using BART's STA Revenue-Based and TDA sales tax funds
- BART has expressed a desire to amend and restructure the agreement
- Discussions are on-going between all impact parties to reconcile issues and identify a new approach

AB 1107 Sales Tax Forecast

FY 2023-24

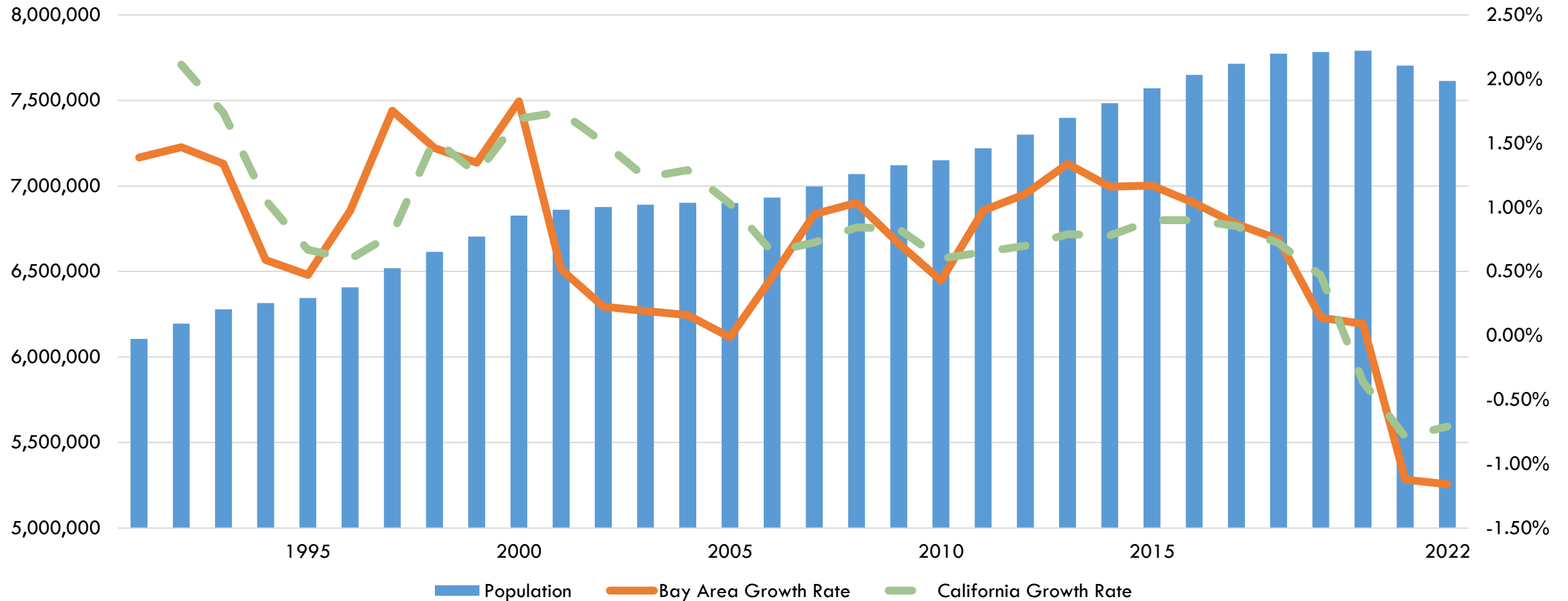
- 25% of total revenue from BART's sales tax in Alameda, Contra Costa, and San Francisco counties
- MTC estimates revenue and establishes funding policy
- Only AC Transit, BART, and SFMTA eligible to receive AB 1107 funds per state statute
- Historically, Commission policy is to distribute 50% of funds to AC Transit and 50% to SFMTA
- **FY 2023-24 forecast of \$104 million is in line with projected growth in TDA sales tax in Alameda, Contra Costa and San Francisco**

FY 2022-23 forecast is revised upwards to \$104 million from \$100 million



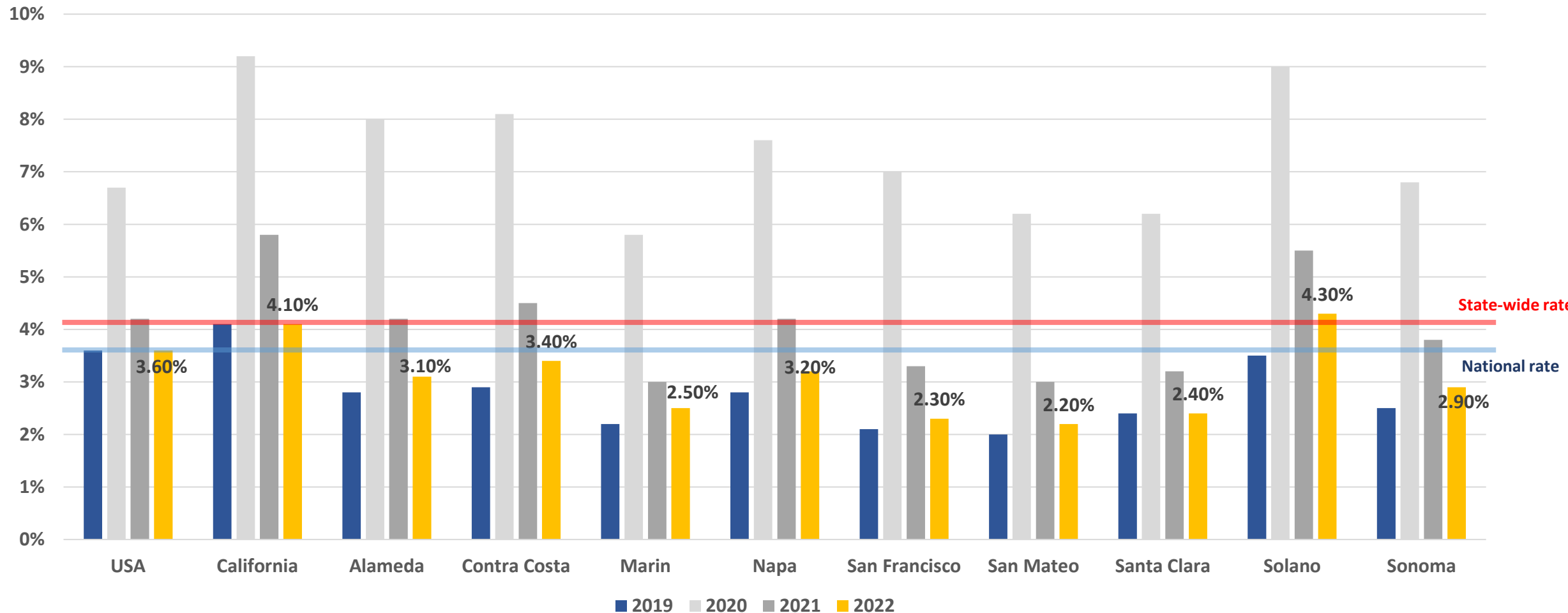
Bay Area Population

- Bay Area Population has declined, now equal to 2015 levels
- The regional population is shrinking faster than the state population.

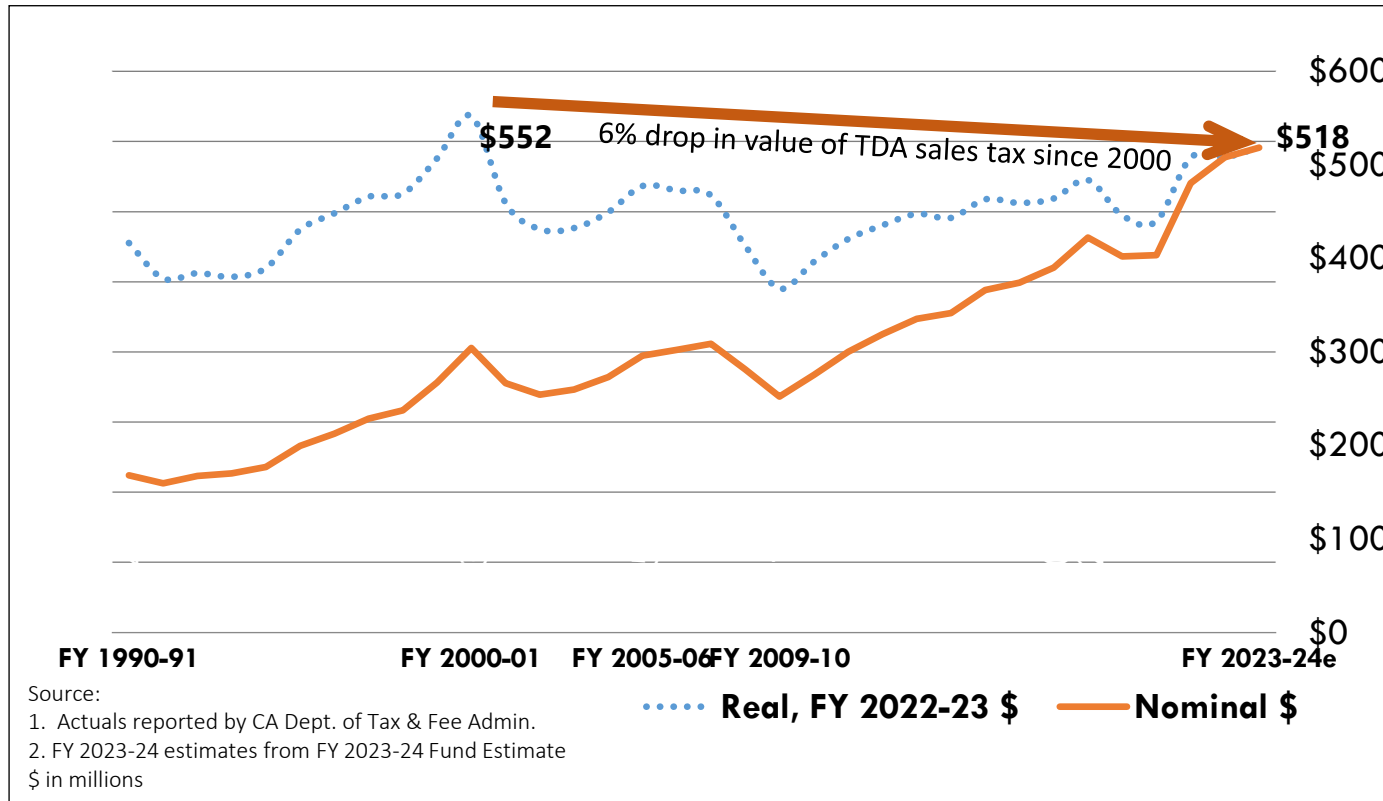


Bay Area Unemployment Rate

- Unemployment rates have improved significantly, returning to or near pre-pandemic levels



Real Sales Tax Revenue: 6% drop since 2000



- Despite near continuous increases in sales tax revenues in nominal terms, revenues have not kept up with inflation
- Since 2000, real sales tax revenues have declined 6%

Staff Recommendation

Staff recommendation is to forward to the Commission for approval:

MTC Resolution No. 4556 (FY 2023-24 MTC Fund Estimate)



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0119 **Version:** 1 **Name:**
Type: Action Item **Status:** Commission Approval
File created: 12/20/2022 **In control:** Joint MTC ABAG Legislation Committee
On agenda: 2/10/2023 **Final action:**
Title: Assembly Constitutional Amendment 1 (Aguiar-Curry): Voter Threshold for Local Infrastructure Bonds and Taxes

Assembly Constitutional Amendment (ACA) 1 would lower to 55 percent the voter approval threshold for local bonds and special taxes for affordable housing, transportation, resilience and other public infrastructure.

Sponsors:

Indexes:

Code sections:

Attachments: [15a 23-0119 ACA1 Aguiar-Curry Voter Threshold-Local Infrastructure Bonds and Taxes.pdf](#)
[3b 23-0119 Summary Sheet ACA 1 Aguiar-Curry Voter Threshold-](#)

Date	Ver.	Action By	Action	Result
2/10/2023	1	Joint MTC ABAG Legislation Committee		

Subject:

Assembly Constitutional Amendment 1 (Aguiar-Curry): Voter Threshold for Local Infrastructure Bonds and Taxes

Assembly Constitutional Amendment (ACA) 1 would lower to 55 percent the voter approval threshold for local bonds and special taxes for affordable housing, transportation, resilience and other public infrastructure.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support and Seek Amendment / ABAG Executive Board Approval
Support and Seek Amendment / MTC Commission Approval

Attachments:

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee

February 10, 2023

Agenda Item 3b

**Assembly Constitutional Amendment 1 (Aguiar-Curry): Voter Threshold for Local
Infrastructure Bonds and Taxes**

Subject:

Assembly Constitutional Amendment (ACA) 1 would lower to 55 percent the voter approval threshold for local bonds and special taxes for affordable housing, transportation, resilience and other public infrastructure.

Background:

In 2000, California voters passed Proposition 39, a constitutional amendment lowering the vote threshold for certain school bonds from two-thirds to 55 percent. This change is credited with allowing the passage of numerous school bonds that would otherwise have failed. ACA 1 would similarly lower to 55 percent the voter threshold for affordable housing and public infrastructure measures proposed by cities, counties, cities and counties, and certain special districts (as defined in Article XIII C of the California Constitution), including transit districts. The Bay Area Housing Finance Authority (BAHFA) meets the bill's definition of a "special district."

The bill defines affordable housing to include housing developments or portions of housing developments that provide housing and/or homelessness prevention services to extremely low-, low-, and moderate-income households earning up to 150 percent of countywide median income. "Public infrastructure" is defined as projects that provide any of the following:

- Water or protecting water quality, sanitary sewer, and treatment of wastewater or reduction of pollution from storm water runoff
- Parks and open space and recreation facilities
- Improvements to transit and streets and highways
- Broadband internet access service expansion in underserved areas
- Flood control and protection of property from impacts of sea level rise
- Public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.
- Local hospital construction and public libraries

Recommendation:

Support and Seek Amendment / MTC Commission Approval

Support and Seek Amendment /ABAG Executive Board Approval

Discussion:

Bay Area voters have a long history of being generous and enthusiastic supporters of taxing themselves to help fund transportation and housing improvements. In addition to approving numerous local special taxes (subject to two-thirds approval), Bay Area voters have approved three regional bridge tolls increases to fund mobility improvements on the Bay Area bridge corridors.

MTC and ABAG have directed staff to pursue BAHFA placing a regional housing measure on the ballot in 2024. Concurrently, MTC and ABAG have directed staff to seek stakeholder and public input on authorizing legislation for MTC to place a regional transportation revenue measure on the ballot, with the goal of securing passage in 2024. In addition, MTC and ABAG are undertaking a robust resilience planning effort which, among other items, examines funding needs to enhance the Bay Area's resilience to sea level rise and other climate fueled hazards. Those funding needs are expected to be significant. Meeting future resilience needs will likely require new funding commitments across all levels of government.

Notably, because past bridge toll measures imposed a fee, not a tax, they were subject to a simple majority approval; Regional Measure 3 in 2018 passed with 55% of Bay Area voters supporting the measure. In contrast, potential future regional housing and transportation measures would be most likely be categorized as a special tax, and thus subject to two-thirds approval under current law. As noted above, ACA 1 would reduce this threshold for various expenditure priorities, including transportation, affordable housing, and resilience-related measures, improving the chances for success at the ballot.

Note that concurrent with this legislation, efforts are also underway to pursue a constitutional amendment via statewide initiative to lower the vote threshold to a simple majority strictly for housing bonds. While the vote threshold in ACA 1 is 55 percent versus a simple majority, staff finds ACA 1 consistent with the intent of Item 3D in our 2023 Joint Advocacy Program and recommends a "support and seek amendment," position to address a minor technical issue, as described below.

Amendment Recommendation

We recommend a friendly amendment to clarify that regional agencies would be covered under the bill. Specifically, ACA 1 should be amended to apply to eligible infrastructure bonds imposed by cities, counties, cities and counties, special districts (as defined), and local governments as defined by Article XIII C of the California Constitution. Regional governmental entities, including MTC, are considered a “local government” under Article XIII C. This amendment would ensure that a potential future MTC-led regional transportation measure would similarly be subject to the lower vote threshold.

Known Positions:

Support

California Labor Federation

California Professional Firefighters

Nonprofit Housing Association of Northern California

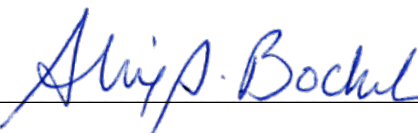
State Building and Construction Trades Council

Oppose

None on file

Attachments:

None


Alix A. Bockelman

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0081 **Version:** 1 **Name:**
Type: Senate Bill **Status:** Commission Approval
File created: 12/6/2022 **In control:** Joint MTC ABAG Legislation Committee
On agenda: 2/10/2023 **Final action:**
Title: Assembly Bill 84 (Ward): Property Tax Welfare Exemption

Provides upfront savings on affordable housing developments by revising the welfare tax exemption from a rebate to upfront savings.

Sponsors:

Indexes:

Code sections:

Attachments: [15b 23-0081 AB84 Ward-Property Tax Welfare Exemption.pdf](#)
[3c 23-0081 Summary Sheet AB 84 Ward-Property Tax Welfare Exemption.pdf](#)

Date	Ver.	Action By	Action	Result
2/10/2023	1	Joint MTC ABAG Legislation Committee		

Subject:

Assembly Bill 84 (Ward): Property Tax Welfare Exemption

Provides upfront savings on affordable housing developments by revising the welfare tax exemption from a rebate to upfront savings.

Presenter:

Julie Snyder

Recommended Action:

Support / ABAG Executive Board Approval
Support / MTC Commission Approval

Attachments:

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

February 10, 2023

Agenda Item 3c

Assembly Bill 84 (Ward): Property Tax Welfare Exemption

Subject:

Provides upfront savings on affordable housing developments by revising the welfare tax exemption from a rebate to upfront savings.

Background and Bill Provisions:

The California Constitution exempts from local property taxes properties owned by nonprofits and used for specified “charitable” purposes. This is known as the “welfare tax exemption.” One of the specified charitable purposes is housing maintained as affordable to lower-income households through a deed restriction.

In practice, if a nonprofit housing developer’s application for a welfare exemption isn’t quickly approved by the Board of Equalization and the county assessor, it must pay the taxes upfront and seek reimbursement. As a result, some nonprofit developers float hundreds of thousands of dollars in tax payments for as many as three years to get the money back without interest once the application is approved. The developers either pay interest to borrow this money or seek additional subsidies from local or state programs, further increasing development costs.

Additionally, affordable housing developers often purchase land subject to recorded covenants restricting its use to affordable housing and then spend a few years piecing together necessary public funding before beginning construction. Based on a survey of a subset of Bay Area county assessors, the general practice is to backdate the welfare exemption only to the start of construction (vs. to the date of the property’s acquisition). This results in developers paying significant taxes that additional state and local housing subsidies must cover.

Finally, all state and federal laws related to affordable housing subsidies require that affordable housing residents must meet specified income limits when they move in, but residents are not required to move out following an income increase. That apartment continues to qualify as affordable for the purpose of being eligible for state and federal funding programs, deed restriction compliance, etc. However, that’s not the case for the welfare exemption. Specific apartments lose the exemption when a resident’s income increases above the limits set in the statute; this increases the property’s operating costs and creates an unstable budgeting environment for the affordable housing property owner. Other properties – those funded by the

Low Income Housing Tax Credit – are permitted to retain the welfare exemption until the resident’s income hits 140 percent of the area median income (AMI) (the “140 percent AMI rule”). This provision of law, however, sunsets in 2028, once again subjecting these properties to increased property tax bills.

Assembly Bill (AB) 84 updates and streamlines the process of applying for and maintaining the welfare exemption by:

- Expanding the 140 percent AMI rule to cover all deed restricted affordable housing and eliminating the sunset.
- Specifying that land restricted for use as affordable housing qualifies for the welfare exemption from the date the restrictions are placed on the property.
- Requiring the county assessor to conditionally grant a welfare exemption within 30 days of application without payment of taxes, subject to retroactive tax payments if the owner or any units are ultimately deemed ineligible.

Recommendation:

Support / ABAG Executive Board Approval

Support / MTC Commission Approval

Discussion:

The welfare tax exemption is a valuable resource for reducing the cost of developing new buildings and acquiring and preserving existing residential properties. One of the first pilots established by the Bay Area Housing Finance Authority –

the Welfare Tax Exemption Preservation Program – provides the public subsidy that developers need to qualify for the welfare exemption when preserving existing affordable apartments.

AB 84 will reduce the upfront amount of local, regional, or state subsidy required to build or preserve affordable housing by eliminating an inefficient and costly process of payments and refunds. Besides lowering development costs, this change will reduce assessors’ costs tied to processing refund requests and issuing checks. In the case where a developer fails to deliver the promised affordable housing, localities will retain all their current powers to pursue payment of back taxes. For these reasons and consistent with Item 5B in our 2023 Advocacy Program, staff recommends MTC and ABAG adopt a “support” position on AB 84.

Known Positions:

Support

California Housing Partnership Corporation (sponsor)


California Treasurer Malia Cohen (sponsor)

Opposition

No known opposition

Attachments:

None



Alix A. Bockelman



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0306 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 1/31/2023 **In control:** Executive Committee
On agenda: 2/10/2023 **Final action:**
Title: MTC Resolution No. 4564. Near-Term Regional Network Management (RNM) Framework Recommendations

Approval of policy support for the Regional Network Management (RNM) framework. Following Commission approval, staff will develop and present an RNM Implementation Plan for Commission approval, the timing being subject to involvement of the new MTC Executive Director.

Sponsors:

Indexes:

Code sections:

Attachments: [16a 23-0306 MTC Resolution 4564 RNM Framework Recommendations.pdf](#)
[16a 23-0306 Attachment A RNM Framework Recommendation Key Slides.pdf](#)
[3a 23-0306 MTC Resolution 4564 RNM Framework Recommendations.pdf](#)
[3a 23-0306 Attachment A RNM Framework Recommendation Key Slides.pdf](#)

Date	Ver.	Action By	Action	Result
2/10/2023	1	Executive Committee		

Subject:

MTC Resolution No. 4564. Near-Term Regional Network Management (RNM) Framework Recommendations

Approval of policy support for the Regional Network Management (RNM) framework. Following Commission approval, staff will develop and present an RNM Implementation Plan for Commission approval, the timing being subject to involvement of the new MTC Executive Director.

Presenter:

Shruti Hari

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Executive Committee****February 10, 2023****Agenda Item 3a - 23-0306****Regional Network Management (RNM) Framework Recommendations**

Subject:

Regional Network Management (RNM) framework recommendation for Executive Committee review and referral to the Commission for approval. Following Commission approval, staff will develop and present an RNM Implementation Plan for Commission approval, the timing being subject to involvement of the new MTC Executive Director.

Background:

In July 2021, the Task Force approved the Bay Area Transit Transformation Action Plan, which identified specific near-term actions to re-shape the region's transit system into a more connected, more efficient, and more user-focused mobility network, resulting in increased ridership and reduced growth in vehicle miles traveled. The Action Plan sought to drive several transformational outcomes, including: a) simpler, consistent and equitable fare and payment options, b) making transit easier to navigate and more convenient, c) transit services are equitably planned and integrally managed as a unified, efficient and reliable network, d) transit services for older adults, people with disabilities, and those with lower incomes are coordinated efficiently, and e) use existing resources more efficiently and secure new, dedicated revenue to meet funding needs. As a part of this plan, the Task Force requested that a study be completed to recommend a preferred framework for Regional Network Management that would be feasible, fundable and one that will improve our regional transit network with more connectivity and customer amenities, and achieve the desired outcomes mentioned above.

Accordingly, in December 2021, the MTC Commission authorized a Network Management Business Case Evaluation to assess and recommend a preferred regional network management framework in a format that sets in place an adaptable structure to achieve near-term and longer-range regional transit goals and identify next steps to achieve implementation.

To support this assessment and ensure that key stakeholders were involved in the process, MTC established a 14-member Advisory Group made up of transit operators and stakeholders to review the analysis and recommendations. This project evaluation included two actions by the MTC Commission, initially to select the evaluation consultant, followed by final action on the consultants' recommendations. For further details on the project evaluation and process, please

refer to: <https://mtc.ca.gov/about-mtc/committees/interagency-committees/network-management-business-case-advisory-group>.

RNM Evaluation and Framework Recommendation

The consultant team led by VIA – A Perkins Eastman Studio (VIA) conducted a current and future state assessment of initial regional transit focus areas (RNM functional areas) and developed a recommended RNM framework they felt would best support transit operations and meet the needs of the Bay Area travelling public. The consultant team recommended a Short/Near-Term RNM Framework, a Proposed 180 Day Implementation Plan and Evaluation Framework for longer term evolution.

These recommendations received strong support from the Advisory Group and the feedback was that the proposed RNM framework provides a thoughtful approach to advancing the integration of our region's transit system in a manner that will benefit customers in the near term, while also providing the flexibility to adapt and evolve over time. The highlights of the framework are that it provides a dedicated forum and staff resourcing to address regional transit needs and empowers a decision-making structure that leverages the existing authorities of the MTC Commission and individual transit agencies to implement needed customer improvements quickly. Moreover, it harnesses the expertise of the transit general managers and elevates the voice of the customer and its importance throughout the framework. Finally, the Near-Term RNM structure also provides flexibility to evolve and strengthen over time, allowing the Commission to understand what works well and what changes may be needed as we navigate the years ahead.

As a reminder, staff presented an update on the project and the Near-Term RNM framework recommendation with key considerations for Executive Committee and Commission review in January and received supportive comments and input that is reflected in the recommendation before you today.

MTC Resolution No 4564 would formalize policy support for the RNM framework recommendation and includes the following key elements: a) Mission & Vision, b) Regional Transit Initial Focus Areas, c) Near Term Framework Elements, d) Proposed Roles and

Committee Composition, and e) Performance, Progress and Long-term Evolution of the RNM (Key Performance Indicators and Recurring Reviews). MTC Resolution No. 4564 may be revised in the future to accommodate evolution of the RNM structure as needed over the longer term.

Issues:

In consideration of feedback received in January, staff recommend that the Commission approve and move forward with the RNM Framework recommendation as proposed by the consultants, with the three areas noted below warranting refinement and additional consideration under the RNM Implementation Plan.

Implementation Timeline –Staff recommend being ambitious but realistic when developing the Implementation Plan for the RNM, and timing the launch of the plan with the involvement of the new MTC Executive Director. Additionally, staff suggests aligning the Implementation Plan with the agency budget process and any other near-term organizational changes that may be under consideration to optimize resources and minimize disruption. This will help to ensure that the RNM implementation is well coordinated and adequately funded.

Funding and Resource Confirmation - Staff recommend ensuring a firm funding approach before standing up the RNM, that can be the bridge until a new, ongoing funding source becomes available. While the near-term funding need is anticipated to be \$1-\$2 million annually, staff will continue to analyze options that would involve MTC making meaningful contributions and distributing remaining need equitably across operators in a way that does not impact services provided by them.

Outreach to Transit Boards – Staff will continue to engage with transit agency boards and provide information about the RNM framework and Implementation Plan. The Implementation Plan will further detail how and on what timeline support for the RNM will be formalized with operator boards.

Next Steps:

Should the Commission approve the RNM Framework Recommendation in February, an RNM Implementation Plan to guide important activities to stand up the Near-Term RNM will be developed and brought forward for Commission consideration and approval with the timing being subject to the participation of the new MTC Executive Director.

Recommendation:

Staff recommend that the Executive Committee refer MTC Resolution No. 4564 to the Commission for approval.

Attachments:

- Attachment A: Regional Network Management Framework Recommendation – Key Slides
- Attachment B: MTC Resolution No. 4564



Alix A. Bockelman

Date: February 22, 2023
W.I.: 1621
Referred by: EXEC

ABSTRACT

MTC Resolution No. 4564

This resolution approves policy support for the Regional Network Manager, a framework that sets in place an adaptable structure to achieve near term and longer-range regional transit goals.

In July 2021, the Task Force approved the Bay Area Transit Transformation Action Plan, which identified specific near-term actions to re-shape the region's transit system into a more connected, more efficient, and more user-focused mobility network, resulting in increased ridership and reduced growth in vehicle miles traveled. One of the actions called for an assessment of a preferred framework for Regional Network Management. A 14-member Network Management Business Case Advisory Group (NMBACAG) made up of transit operators and stakeholders was established to guide the analysis and recommendations.

This resolution contains the following attachments:

Attachment A – Regional Network Management Framework

Further discussion of this subject is contained in the Executive Committee Commission memoranda dated February 10, 2023.

Date: February 22, 2023

W.I.: 1621

Re: Policy Support for Regional Network Management Framework

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4564

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

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the Bay Area or region); and

WHEREAS, MTC convened the Blue Ribbon Transit Recovery Task Force (Task Force) in 2020 and 2021 to respond to the COVID-19 pandemic and the impacts to transit; and

WHEREAS, the Task Force developed and endorsed the Transit Transformation Action Plan (Action Plan) in July 2021, which identifies near-term actions needed to achieve a more connected, efficient, and user-focused mobility network across the Bay Area and beyond and the Action Plan was received and accepted by MTC in September 2021; and

WHEREAS, the Action Plan called for a Regional Network Management (RNM) Assessment for Bay Area Transit and establishment of a Network Management Business Case Advisory Group to guide the assessment; and

WHEREAS, a Regional Network Management Framework is being recommended to improve the Bay Area's regional transit network, and achieve the desired near-term outcomes in the Action Plan and longer-range regional transit goals as identified in Attachment A, incorporated herein as though set forth at length; and

WHEREAS, the Regional Network Management Framework is an initial structure that may evolve over time towards a longer term transformation;

RESOLVED, that MTC expresses policy support for the Regional Network Management Framework set forth in Attachment A; and be it further

RESOLVED, that MTC directs staff to develop an Implementation Plan meant to set forth a comprehensive process to guide the respective agencies as we move forward to implement the RNM framework.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on February 22, 2023.

Date: February 22, 2023
W.I.: 1621
Referred by:

Attachment A
Resolution No. 4564
Page 1 of 3

Attachment A Regional Network Management Framework

I. Mission and Vision

Anchoring the Regional Network Management (RNM) framework are mission and vision statements.

Mission: To drive transformative improvements in the customer experience for regional Bay Area transit

Vision: To advance regional goals in equity, livability, climate, and resiliency through a unified regional transit system that serves all Bay Area populations

II. Regional Transit Initial Focus Areas

The RNM focus is centered on delivering operational changes that will directly benefit present and future customers. An initial set of focus areas has been defined as:

Focus Area (Functional Areas)	Regional Role
Fare Integration Policy	<ul style="list-style-type: none">• Set the regional vision• Establish regional policies• Establish policy implementation plans, including the identification of funding
Wayfinding and Mapping	<ul style="list-style-type: none">• Set the regional vision• Establish regional policies (e.g., design standards, compliance requirements)• Establish policy implementation plans, including the identification of funding• Deliver centralized procurement, where relevant
Accessibility	<ul style="list-style-type: none">• Embed accessibility within each of the other functional area plans• Define a regional vision for paratransit operations• Identify improvements needs re: implementation of paratransit policies and requirements• Establish a regional implementation plan
Bus Transit Priority (BTP)	<ul style="list-style-type: none">• Set the regional vision• Define BTP corridors and identify needs / initiatives

Focus Area (Functional Areas)	Regional Role
	<ul style="list-style-type: none"> • Serve as the central coordination point for state, county, and city stakeholders • Establish policy implementation plans, including the identification of funding
Rail Network Management	<ul style="list-style-type: none"> • Set the vision for the regional rail network • Translate regional vision into regional implementation plan (project prioritization, sequencing, integration points, project funding, delivery approach, etc.)
Connected Network Planning (CNP)	<ul style="list-style-type: none"> • Identify critical regional transit gaps to create the CNP • Establish and create data tools for regional planning • Identify funding priorities and establish service standards • Draft changes to Countywide Transportation Plan guidelines, as needed

III. Near term Framework Elements

Element	Description
Regional Visioning Element	Leverage existing regional purview and planning capabilities to help set the regional vision for transit in the Bay Area and drive the direction of the RNM.
Steering Element	Council comprised GM-level Operator and MTC representatives who understand transit operations and can represent the interests of their stakeholders and provide leadership and critical input on regional policies.
Administration/ operational elements	Staff, temporary or longer-term groups comprised of a broad range of representatives, including Operators, stakeholders, and subject matter experts, that will help complete analysis and develop policy recommendations / options.

IV. Proposed Roles and Committee Composition

The near-term RNM structure is customer focused, structured for scale and balances short term momentum with long-term transformation. It is proposed to be made up of the following, subject to further action and refinement through the Implementation Plan:

MTC RNM Committee

- A committee of the Commission
- Leverage existing regional purview and planning capabilities to help set the regional vision for transit in the Bay Area and drive the direction of the RNM.
- 8 voting seats for Commission Members

- 2 non-voting seats for transit agency board members
- 1 non-voting seat for a state appointee

Customer Advisory Committee

- Group of stakeholders who represent the customer and can help inform decision-making with the customer in mind.
- Elevated Transit Transformation Action Plan (TAP) Sub-Committee with potential refinements to membership to better support the mission and vision of the RNM.
- Eight (8) members from MTC's Policy Advisory Council
- Nine (9) stakeholder representatives

RNM Council

- Council comprised of GM-level Operators and MTC representatives who understand transit operations and can represent the interests of their stakeholders and provide leadership and critical input on regional policies.
- MTC Executive Director to assemble the Council with anticipated participants including large and small operator General Managers/ CEOs.

V. Performance, Progress, and Long-term Evolution

Key Performance Indicators: To support continuous improvement, Key Performance Indicators (KPIs) will be established to track RNM performance.

- Benefits KPIs: KPIs to track the achieved benefits of regional transit and inform regional transit policy decisions.
- Program KPIs: KPIs to monitor the performance of the RNM and inform the evolution of the RNM.
- KPIs should be tracked and reported on through program performance structures and KPIs themselves would be reviewed and updated periodically.

Recurring Review: Every two years, the KPIs should be revisited and refined through a formal review. The review will consider progress made and drive the long-term evolution of the RNM framework through:

- Establishing leadership roles and scaling support elements to meet changing priorities.
- Establishing and expanding regional tools to drive standardization and improve efficiency.
- Refining and updating processes to meet changing needs or goals and enhance incentives to support process implementation.
- Enhancing agency authorities to align decision-making capabilities with regional goals.

An aerial, high-angle photograph of a modern urban transit hub. A light rail train with a blue and white livery is stopped at a station platform. A white bus with a blue stripe is also visible. Numerous pedestrians are walking on the sidewalks and crossing the street. The scene is set in a city with modern buildings and greenery. A large, semi-transparent dark blue rectangle is overlaid on the center of the image, containing the title text in white.

Regional Network Management (RNM)

ATTACHMENT A - REGIONAL NETWORK MANAGEMENT (RNM) FRAMEWORK
RECOMMENDATION

MTC Executive Committee

February 10, 2023 - 9 a.m.

Transit Transformation Action Plan –Desired Outcomes

I. Fares and Payment

Simpler, consistent, and equitable fare and payment options.



II. Customer Information

Make transit easier to navigate and more convenient.



III. Transit Network

Transit services managed as a unified, efficient, and reliable network.



IV. Accessibility

Transit services for older adults, people with disabilities, and those with lower incomes are coordinated efficiently.



V. Funding

Use existing resources more efficiently and secure new, dedicated revenue to meet funding needs.



MTC Resolution 4564

- **Approves Policy Support for RNM Framework**
- **Includes following key elements of the RNM Framework:**
 - **I. Mission & Vision**
 - **II. Regional Transit Initial Focus Areas**
 - **III. Near-Term RNM Framework Elements**
 - **IV. Proposed Roles and Committee Composition**
 - **V. Performance, Progress and Long-term Evolution**

I. Regional Network Management (RNM) Mission & Vision

Proposed Mission Statement

(“Core Purpose”)

To drive transformative improvements in the customer experience for regional Bay Area transit

Proposed Vision Statement

(“Why”)

To advance regional goals in equity, livability, climate, and resiliency through a unified regional transit system that serves all Bay Area populations

II. Regional Transit Initial Focus Areas

Fare Integration Policy

- Set the regional vision
- Establish regional policies
- Establish policy implementation plans, including the identification of funding

Wayfinding & Mapping

- Set the regional vision
- Establish regional policies (e.g., design standards, compliance requirements)
- Establish policy implementation plans, including the identification of funding
- Deliver centralized procurement, where relevant

Accessibility

- Embed accessibility within each of the other functional area plans
- Define a regional vision for paratransit operations
- Identify improvements needs re: implementation of paratransit policies and requirements
- Establish a regional implementation plan

Bus Transit Priority

- Set the regional vision
- Define BTP corridors and identify needs / initiatives
- Serve as the central coordination point for state, county, and city stakeholders
- Establish policy implementation plans, including the identification of funding

Rail Network Mgmt.

- Set the vision for the regional rail network
- Translate regional vision into regional implementation plan (project prioritization, sequencing, integration points, project funding, delivery approach, etc.)

Connected Network Planning

- Identify critical regional transit gaps to create CNP
- Establish and create data tools for regional planning
- Identify funding priorities and establish service standards
- Draft changes to Countywide Transportation Plan guidelines, as needed

III. Near-Term RNM Framework Elements

Regional Visioning Element

Leverage existing regional purview and planning capabilities to help set the regional vision for transit in the Bay Area and drive the direction of the RNM

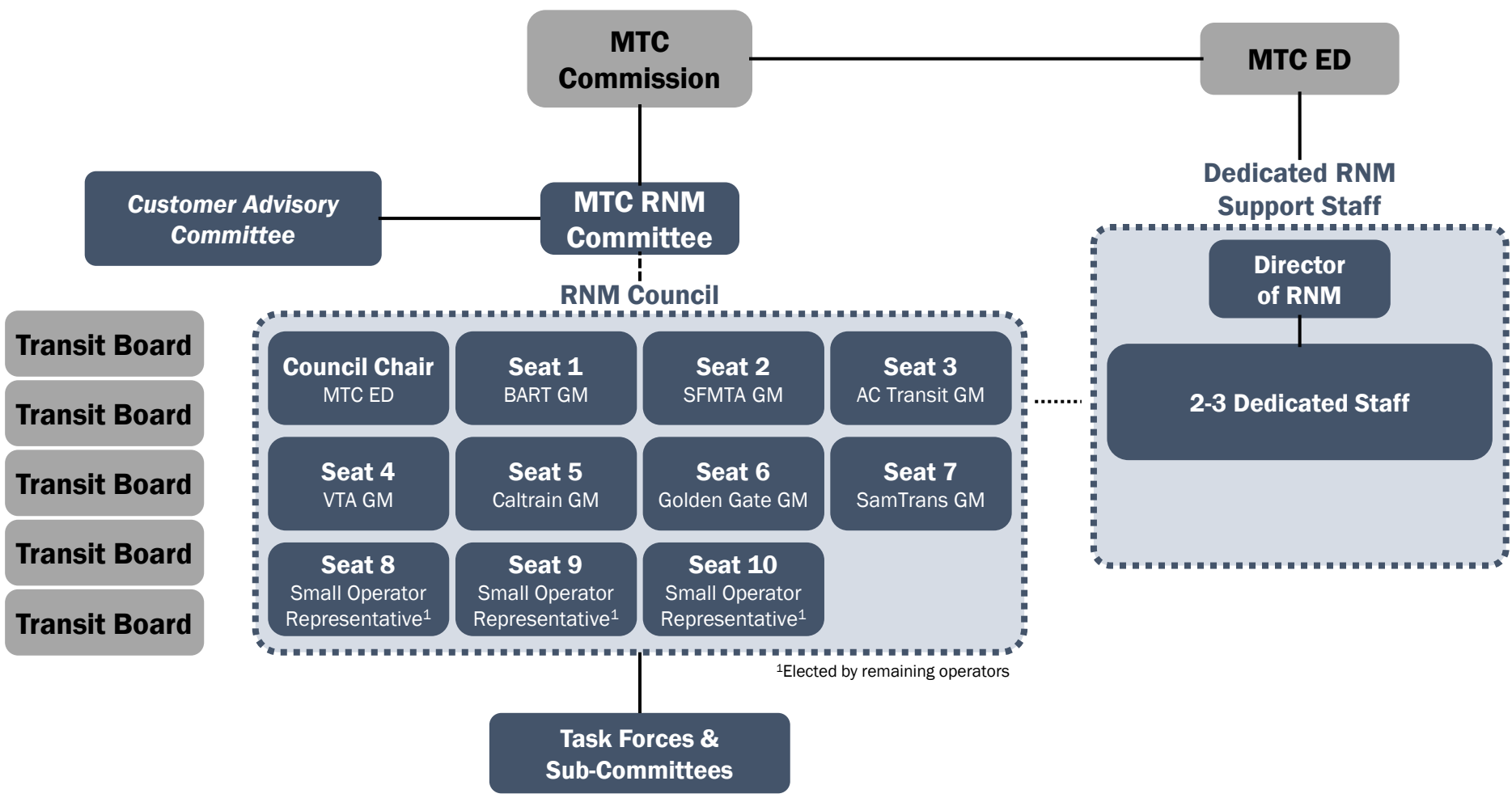
Steering Element

Council comprised GM-level Operator and MTC representatives who understand transit operations and can represent the interests of their stakeholders, and provide leadership and critical input on regional policies

Administrative / Operational Element

Staff, temporary or longer-term groups comprised of a broad range of representatives, including Operators, stakeholders, and subject matter experts, that will help complete analysis and develop policy recommendations / options.

IV. Proposed Roles and Committee Composition



✓ Customer Focused:

- Enables highly inclusive decision making to bring a broad range of perspectives
- Multiple engagement points for the “Voice of the Customer” to prioritize customers in decision making

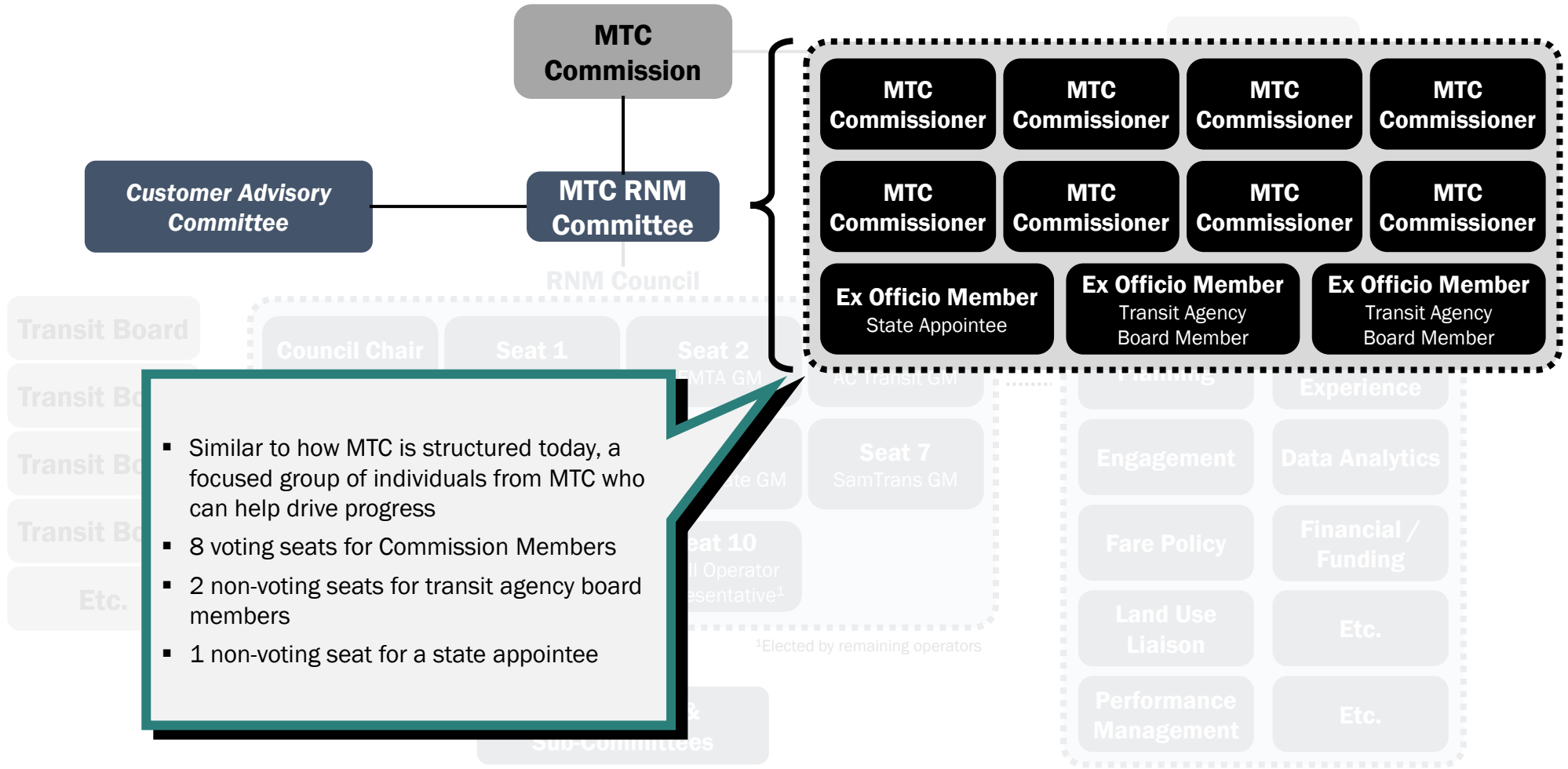
✓ Structured for Scale:

- Team of Dedicated Support Staff can grow over time to provide needed capacity to Operators
- Joint teams, with potential opportunities for seconded staff, enable high quality proposals to reach the Council, driving effective use of GM time
- Task Forces and Sub-Committees can be added or subtracted as regional priorities shift

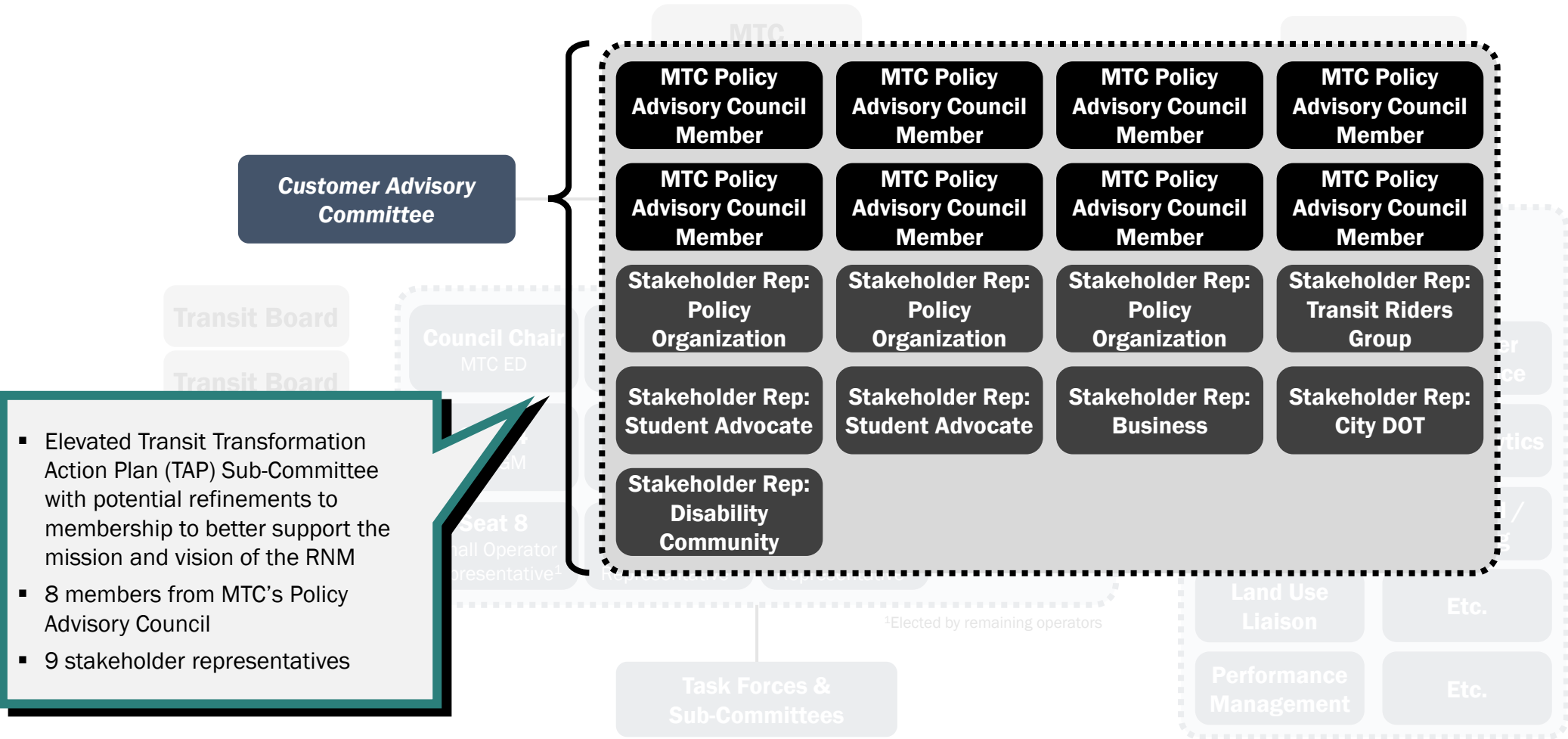
✓ Balances Short-Term Momentum with Long-Term Transformation:

- Allows RNM to be stood up quickly to begin working on priority items, but also allows continuous evolution
- Seeks to drive cost and time effectiveness
- Feasible within current legislative constraints

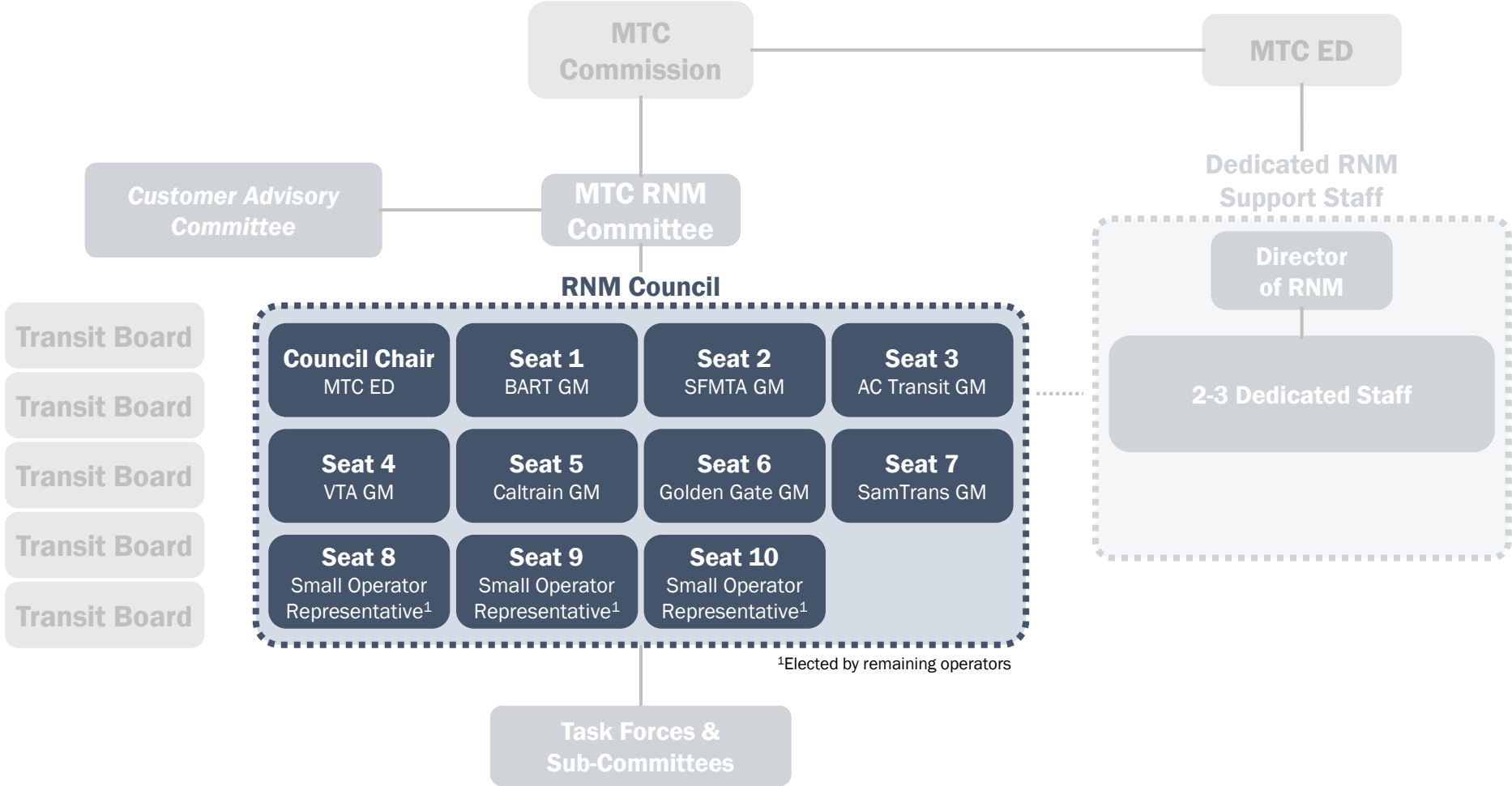
IV. Proposed Roles and Composition: MTC RNM Committee



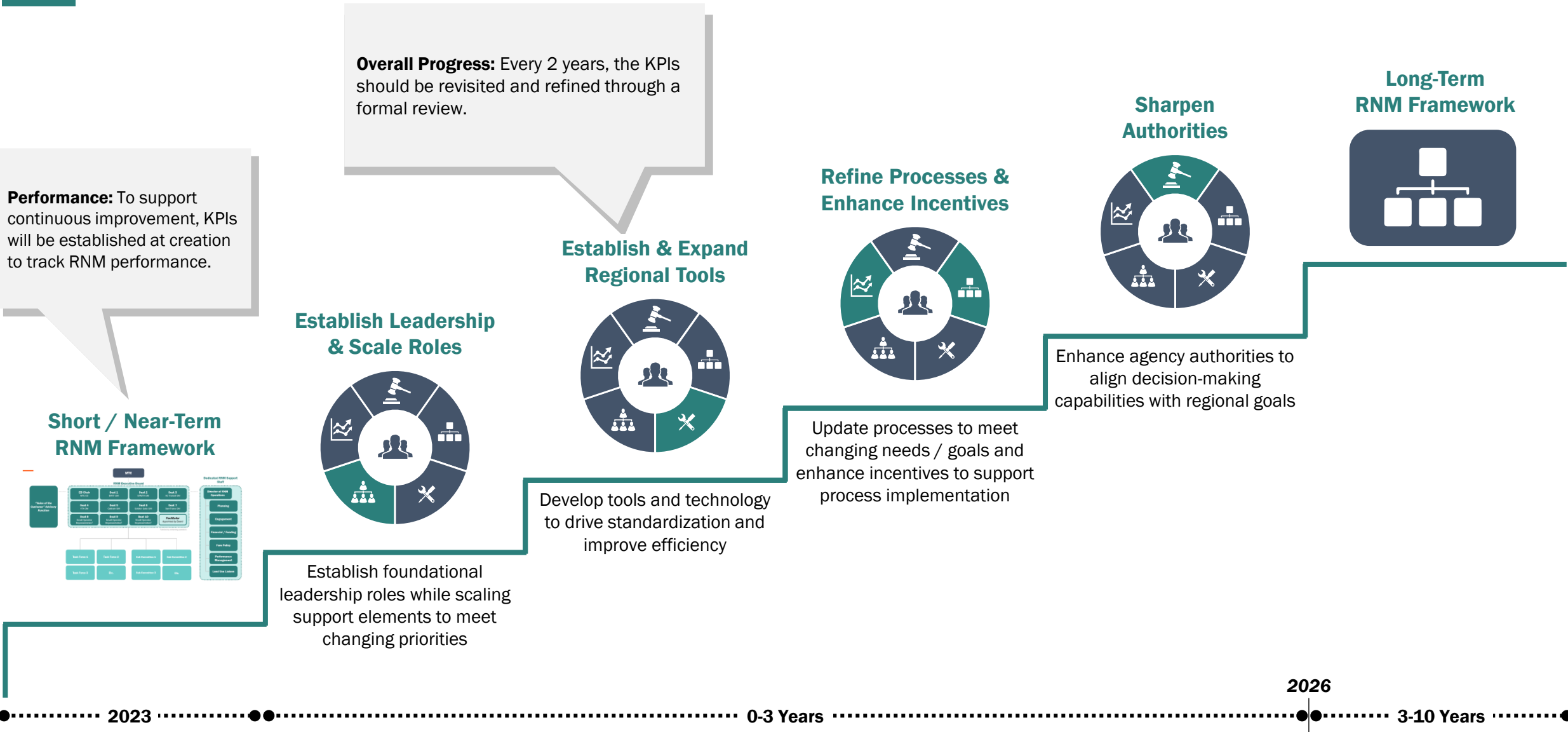
IV. Proposed Roles and Composition: Customer Advisory Committee



IV. Proposed Roles and Committee Composition: RNM Council



V. Performance, Progress and Long-term Evolution



Note: Illustrative

Issues – to be addressed in Implementation Plan

Implementation Timeline

Be ambitious but acknowledge transitions: Tie beginning of Implementation Plan (IP) with having new Executive Director (ED) in place.

Strategic alignments for budget and organizational changes: Revise Implementation Plan for establishing Near-Term RNM to align with budget process and other agency organizational changes.

Funding & Resource Confirmation

Confirm funding source and amount to stand up Near-Term RNM until new, ongoing revenue available: Staff recommends ensuring a firm funding approach before standing up the RNM, that can be the bridge until a new, ongoing funding source becomes available. The near-term funding need is anticipated to be \$1-\$2 million annually, staff will continue to analyze options that would involve MTC making meaningful contributions and distributing remaining need equitably across operators in a way that does not impact services provided by them.

Outreach to Transit Boards

Continued Engagement and Outreach: Staff will continue to engage with transit agency boards and provide information about the RNM framework and implementation plan. The Implementation Plan will further detail how and on what timeline support for the RNM will be formalized with operator boards.

Recommendation

- **Staff recommends Executive Committee review and referral of MTC Resolution 4564, approving policy support for Regional Network Management Framework, to the Commission for approval.**
- **Following Commission approval, staff will develop and present an RNM Implementation Plan for Commission approval, the timing being subject to involvement of the new MTC Executive Director.**



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0292 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 1/27/2023 **In control:** Metropolitan Transportation Commission
On agenda: 2/22/2023 **Final action:**
Title: In-Person Meetings / Brown Act / AB2449

A report on the return to In-Person Meetings/Brown Act/AB 2449.

Sponsors:

Indexes:

Code sections:

Attachments: [17a 23-0292 Return to In-Person Meetings-Brown Act-AB2449.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

In-Person Meetings / Brown Act / AB2449

A report on the return to In-Person Meetings/Brown Act/AB 2449.

Presenter:

Kathleen Kane

Recommended Action:

Information

Metropolitan Transportation Commission

February 22, 2023

Agenda Item 17a - 23-0292

Return to In-Person Meetings/Brown Act/AB 2449

Subject:

Report on Return to In-Person Meetings/Brown Act/AB 2449

Background:

The Governor's Covid Emergency Orders are set to expire at the end of this month. With that expiration, the provision for remote meetings under AB 361 will no longer be available. Remote participation for Commissioners is still legally possible, however, under both the pre-existing Brown Act teleconferencing mechanism as well as the new procedures made available by AB 2449. Attached is a memorandum describing the state of the law on these issues as well as minimum required procedures for remote participation.

As noted in the memorandum, it is at the Commission's discretion to set expectations for how MTC and its related entities' meetings should proceed, provided that direction is not in conflict with the American with Disabilities Act. Prior to the pandemic, MTC emphasized in-person participation by Commissioners. The Commission may wish to consider what expectations it wishes to set for itself and for its subsidiary bodies as we go forward. Absent direction to the contrary, staff proposes that meetings be convened in-person following pre-pandemic procedures starting in March. Once the Commission has had the opportunity to provide direction, procedures governing remote participation will be provided for adoption in a subsequent month.

Issues:

None.

Recommended Action:

Information. Review legal memorandum and attached draft minimum required procedures for remote participation in Brown Act meetings.

Attachments:

- A. Memorandum Regarding Remote Participation for Brown Act Meetings
- B. Draft Minimum Procedures for Remote Participation for MTC Commissioners and committee members



Alix A. Bockelman



METROPOLITAN
TRANSPORTATION
COMMISSION

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105
TEL 415.778.6700
WEB www.mtc.ca.gov

Memorandum

TO: MTC Commission

DATE: February 22, 2023

FR: Kathleen Kane, General Counsel

John Myers, Assoc. General Counsel

RE: Post-Covid Emergency Brown Act Meetings

With the expiration of the Governor's COVID emergency orders on February 28, 2023, the hybrid meetings format permitted during the state of emergency will no longer be available for Brown Act bodies. Instead, the default for meetings will be to return to in-person participation at 375 Beale Street for MTC and its related entities.

For reference, two options for remote participation remain under the statute: (1) teleconferencing under the Brown Act's pre-COVID provisions ("anytime" teleconferencing) and (2) the newly-added process under AB 2449, which allows for remote participation without noticing the off-site location under limited circumstances. A summary of those statutory allowances is below.

"Anytime" teleconferencing is permitted when the following circumstances are met:

1. A quorum of the body is participating in the meeting from within the jurisdictional boundaries of the entity in question. In this case, that means the jurisdictional boundaries of the nine Bay Area counties.
2. The location(s) for remote participation have been included in the meeting's published agenda.
3. The meeting's agenda has been posted at the remote location at least 72 hours in advance for a regular meeting and is visible to the public 24 hours a day through the meeting time.
4. The remote locations are open and accessible to the public.
5. The public may participate in real time in the meeting through being able to watch a simultaneous broadcast and providing live public comment during appropriate portions of the meeting.

AB 2449 makes limited allowances for circumstances – such as health or childcare issues – where it may not be possible to admit members of the public to the remote meeting location. There are two types of remote participation possible under the statute: "just cause" and "personal emergency."

For AB 2449 “just cause” remote participation, the following must be true:

1. The participating member must be facing one of the enumerated circumstances under the statute: childcare or caregiving obligations; contagious illness; physical or mental disability that is not otherwise accommodated; or travel on official business.
2. The member must provide a description of the circumstances justifying the “just cause” remote participation.
3. Two-way broadcasting from the remote location must be available and working throughout the meeting.
4. A quorum of the body must participate in person from one physical location that is noticed according to the Brown Act.

For the “personal emergency” provision, the following must be true:

1. The member must be experiencing a personal physical or family emergency.
2. The member must submit a request for emergency remote participation as soon as possible to the meeting body, which must act on the request as soon as possible by majority vote.
3. A quorum of the body must participate in person from one physical location that is noticed according to the Brown Act.
4. Two-way audio and visual broadcasting from the remote location must be available and working throughout the meeting.

There are strict limitations on the use of the AB 2449 procedures. The “just cause” category can only be used twice per member per calendar year, and combined use with “personal emergency” cannot exceed 3 consecutive months, or more than 20 percent of the years’ meetings. The “personal emergency” provision does not have a specific numerical limit but cannot exceed 3 consecutive months or 20 percent of the meetings in a year. For both categories, the use of AB 2449 exemptions cannot exceed 2 meetings if the body meets fewer than 10 times in a calendar year.

Reading these provisions together, the key takeaway is this:

If any member invokes AB 2449 procedures, a quorum of the body must meet in person at one physical location. This is true even if they have already noticed alternative remote locations under the “anytime teleconferencing” rules.

For this reason, close coordination with your clerk staff is *essential* to ensure that meetings can go forward as planned. If issues arise for members, please consult with the clerk/Office of General Counsel as soon as possible to ensure we do not have to cancel meetings for lack of an in-person quorum.

MTC is committed to making accommodations, where feasible, to address barriers to participation created by illness or disability. Please let the Office of General Counsel or clerk staff know of any issues you may face so that we can work through potential solutions.

Attached to this memo are minimum-required procedures for using teleconferencing options. These procedures are not intended to set policy for the Commission, but instead represent the legal and posting requirements that must be met in order to proceed under the remote participation provisions of the Brown Act. The Commission has discretion in setting expectations for how it and its related entities' meetings should proceed. However, any direction given by the Commission must allow for individual accommodation wherever possible under the Americans with Disabilities Act.

REMOTE MEETINGS PROTOCOL:

A member wishing to participate remotely in any scheduled meeting must:

1. Inform the Clerk at the earliest possible date of the intention to participate remotely.

For “anytime teleconferencing,” notice should be given *at least 10 days in advance* so that the remote location can be included in the agenda, which is generally published 7 days in advance of regular meetings.

For “just cause” and “personal emergency” teleconferencing, notice should be given to the clerk at the earliest possible date. If at all possible, notice should be given *10 days in advance*.

2. For “anytime teleconferencing,” the member must:
 - post the agenda at the teleconferencing location in a place visible to the public 24 hours a day at least 72 hours prior to a regular meeting or 24 hours prior to a special meeting.
 - ensure that the remote location has the equipment and internet capabilities for remote participation available and in working order
 - ensure that the remote location is open and accessible to the public at all times during and immediately before the scheduled meeting
 - provide the Clerk with a signed form indicating that posting and accessibility requirements have been met
3. For “just cause” teleconferencing, the member must:
 - provide a general description of the circumstances to the Clerk and the Chair of the body justifying remote participation under the just cause provisions of AB 2449. This information is public and should not include sensitive medical information. This description should be provided at the earliest possible date, and at least 10 days in advance of the meeting wherever possible.
 - ensure that equipment and internet access necessary to support two-way live broadcasting is available and working at the remote location
4. For “personal emergency” teleconferencing, the member must:
 - provide a description of the circumstances to the Clerk and Chair of the body justifying remote participation under the personal emergency provisions of AB 2449 as soon as possible after the circumstances arise. This information is public and should not include sensitive medical information. If possible, the meeting agenda will be amended to reflect the request to participate remotely. The request may be added verbally at the beginning of the meeting if it does not come in time to repost the agenda.
 - ensure that equipment and internet access necessary to support two-way audio and visual live broadcasting is available and working at the remote location
 - when the meeting starts, note for the record whether there are any persons 18 years old or older in the room, and disclose that fact and their relationship(s) to the member before each vote.