



375 Beale Street, Suite
800
San Francisco, CA 94105

Meeting Agenda

Regional Measure 3 (RM3) Independent Oversight Committee

Monday, March 4, 2024

1:00 PM

Board Room - 1st Floor

The Regional Measure 3 Independent Oversight Committee is scheduled to meet on
Monday March 4, 2024 at 1:00 p.m.

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. Members of the public participating by Zoom wishing to speak should use the “raise hand” feature or dial *9. When called upon, unmute yourself or dial *6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/89625883368>

iPhone One-Tap: US: +13462487799,,89625883368# US (Houston)
+12532050468,,89625883368# US

Join by Telephone (for higher quality, dial a number based on your current location) US:
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 896 2588 3368

International numbers available: <https://bayareametro.zoom.us/u/kcVuyvctA6>

Detailed instructions on participating via Zoom are available at:

<https://bayareametro.zoom.us/u/kdR1hznEgA>

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

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 and agenda item number 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.

Clerk: Wally Charles

Roster

Tim Ambrose, David Bailey, Steve Bridlebough, Pamela Frisella, Kevin Hagerty, Frederick Arn Hansson, William G. Jerry Hayes, Pamela Kindig, Steve Lessler, John Maitland, Anu Natarajan, Brian David Shaw, and Joanne Webster.

1. Call to Order / Roll Call / Confirm Quorum

A quorum of the Committee shall be a majority of its voting members (7).

2. Compensation Announcement (Clerk)

3. Welcome and Orientation - Theresa Romell

- 3a. [24-0359](#) Orientation
- Action:** Information
- Presenter:** Theresa Romell, (MTC)
- Attachments:** [3a. Welcome and Orientation-Theresa Romell](#)
[3ai Attach_A BATA-RES-0131_approved](#)
[3aii CA SHC 30914.7](#)
[3aiii CA SHC 30923](#)

4. Election of Chair and Vice-Chair

- 4a. [24-0342](#) Regional Measure 3 Independent Oversight Committee Chair and Vice Chair
- Nomination and Election of the Chair and Vice Chair of the Regional Measure 3 Independent Oversight Committee
- Action:** Approval
- Presenter:** Theresa Romell, MTC
- Attachments:** [4a Summary Sheet RM3IOC Chair and ViceChair Elections](#)

5. Information

- 5a. [24-0321](#) Regional Measure 3 Program Overview
- Action:** Information
- Presenter:** Craig Bosman, MTC
- Attachments:** [5a. Presentation intro](#)
[5ai AttachA-Presentation](#)

5b. [24-0343](#) Background on Regional Measure 3 & Expenditures to Date

Brief history of RM3 and overview of first MTC Annual Report to the Legislature

Action: Information

Presenter: Craig Bosman, MTC and Derek Hansel, MTC

Attachments: [5b.Background on Regional Measure 3 & Expenditures to Date](#)

[5bi Attachment A RM3 Annual Report](#)

[5bii RM3 Capital Expenditure Plan Tracker](#)

[5biii Commission Allocation](#)

6. Public Comment

*Members of the public participating by Zoom wishing to speak should use the “raise hand” feature or dial *9. When called upon, unmute yourself or dial *6.*

7. Adjournment / Next Meeting

The next meeting of the RM3 Independent Oversight Committee will be held at a time and location to be duly noticed.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee 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 Committee 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: Committee 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 Committee 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 Committee. Actions recommended by staff are subject to change by the Committee.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 24-0359 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 2/28/2024 **In control:** Regional Measure 3 (RM3) Independent Oversight Committee

On agenda: 3/4/2024 **Final action:**

Title: Orientation

Sponsors:

Indexes:

Code sections:

Attachments: [3a. Welcome and Orientation-Theresa Romell](#)
[3ai Attach A BATA-RES-0131 approved](#)
[3aii CA SHC 30914.7](#)
[3aiii CA SHC 30923](#)

Date	Ver.	Action By	Action	Result
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Subject:
Orientation

Presenter:
Theresa Romell, (MTC)

Recommended Action:
Information

Attachments:

Regional Measure 3 Independent Oversight Committee

March 4, 2024

Agenda Item 3a

Welcome and Orientation

Subject:

Overview of the Regional Measure 3 (RM3) Independent Oversight Committee's responsibilities and proposed meeting schedule.

Background:

Senate Bill 595 (2017) laid the legislative groundwork for RM3 by amending the California Streets and Highways Code (SHC), including establishment of the expenditure plan, with 35 capital projects totaling \$4.45 billion and three operating programs of up to 16 percent of annual RM3 revenues (up to \$60 million). California SHC Section 30914.7:

- details the 35 capital projects
- details the 3 transit operating assistance programs
- requires the establishment of performance measures for transit operating assistance and the execution operating agreements
- requires the submission of initial project reports for capital projects
- outlines how MTC may modify the capital program
- requires the Bay Area Toll Authority (BATA) to include RM3 projects in a long-range bridge toll plan.

SB 595 also added Section 30923 to the SHC, which outlined the mechanism for the RM3 election and required BATA to establish an independent oversight committee within six months of the effective date of the toll increase:

If the voters approve a toll increase pursuant to this section, the authority shall establish an independent oversight committee within six months of the effective date of the toll increase to ensure that any toll revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Section 30914.7.

The oversight committee shall include two representatives from each county within the jurisdiction of the commission. Each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and shall be limited to two terms. The oversight committee shall annually review the expenditure of funds by the authority for the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings. The oversight committee may request any documents from the authority to assist the committee in performing its functions.

Subsequently, the following requirements were added to statute regarding committee membership:

A representative appointed to the oversight committee shall not be a member, former member, staff, or former staff of the commission or the authority, shall not be employed by any organization or person that has received or is receiving funding from the commission or the authority, and shall not be a former employee or a person who has contracted with any organization or person that has received or is receiving funding from the commission or the authority within one year of having worked for or contracted with that organization or person.

Bay Area voters approved RM3 on June 5, 2018, and on December 19, 2018, 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. Accordingly, BATA established the RM3 Independent Oversight Committee in June 2019, and filled its roster for the requisite four-year term as appointees were received from county boards of supervisors. (BATA Resolution No. 131, Revised.)

The Independent Oversight Committee did not meet for the entire term of July 2019-June 2023. Lawsuits challenging RM3 were appealed all the way to the California State Supreme Court, which finally resolved the litigation of RM3 in January 2023. During that time, all collected RM3 funds were held in escrow pending the litigation. BATA released the toll funds held in escrow and terminated the escrow agreement in March 2023, clearing the way for RM3 allocations and expenditures to begin.

Appointees were solicited by counties for a new term from July 2023 through June 2027. Because the committee did not meet during the first term, the 2023-2027 term shall count as the first term for the purposes of fulfilling term limits outlined in statute.

Responsibilities of the Committee

Statute outlines both the purpose and the duty of the Independent Oversight Committee. The purpose is to ensure that RM3 toll revenues are expended consistent with the applicable requirements set forth in SHC 30914.7, that is, the RM3 capital and operating expenditure plan and associated guidance in the statute.

The duty of the committee is to annually review the expenditure of funds for the RM3 expenditure plan, and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings.

Responsibilities of BATA

Also outlined in SHC 30923, ByATA is required to annually prepare a report to the Legislature on the status of the projects and programs funded by RM3. From 2019 through 2023, BATA has prepared this report on the calendar year basis and submitted it to the Legislature in December, but with allocations and expenditures now underway, staff plan to shift this to the fiscal year basis, starting with an FY 2023-24 report.

Proposed Schedule

MTC staff proposes that the Independent Oversight Committee adopt an annual reporting schedule tied to the fiscal year (July 1 through June 30). We believe this will align well with both the start of actual RM3 expenditures, where the initial RM3 allocations were made in the middle of calendar year 2023, with the terms of appointees, and with the planned shift to fiscal-year basis reports by BATA itself.

BATA Res. No. 131, Revised provides guidance for receipt of stipends and travel expense reimbursement for up to four meetings per year. For the FY 2023-24 report year, staff welcomes committee discussion and feedback on the ideal number of meetings in addition to today.

Issues:

None.

Recommendation:

Information only.

Attachments:

A.-BATA Resolution No. 131, Revised

B-California Streets and Highways Code Sections 30914.7

C-California Streets and Highways Code Sections 30923


Alix Bockelman

Agenda Item 3a Attachment A

Date: June 26, 2019
Referred by: BATA Oversight
Revised: 07/24/19-BATA 10/23/19-BATA
11/20/19-BATA 11/15/23-BATA

ABSTRACT

BATA Resolution No. 131, Revised

This resolution establishes the Regional Measure 3 Independent Oversight Committee, as set forth in Section 30923(h) of the California Streets and Highways Code and approved by voters on the June 5, 2018 ballot.

Attachment A to this Resolution was revised on July 24, 2019 to update appointees.

Attachment A to the Resolution was revised on October 23, 2019 to update appointees.

Attachment A to the Resolution was revised on November 20, 2019 to update appointees.

Attachment A to the Resolution was revised on November 15, 2023 to update appointees.

Attachment B to the Resolution was revised on November 15, 2023 to update the title of the administrator.

Further discussion of this resolution is contained in the BATA Oversight Committee Summary Sheets dated June 12, 2019, July 10, 2019, October 9, 2019, November 13, 2019, and November 8, 2023.

Date: June 26, 2019
Referred by: BATA Oversight

Re: Regional Measure 3 Independent Oversight Committee

BAY AREA TOLL AUTHORITY
RESOLUTION NO. 131

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 at such special election voted affirmatively for Regional Measure 3; and

WHEREAS, on December 19, 2018, the Authority adopted Resolution No. 128 adopting a toll schedule phasing in the toll increase approved pursuant to Regional Measure 3, effective on January 1, 2019; and

WHEREAS, in accordance with subsection (h) of Section 30923 of the California Streets and Highways Code (“SHC”), the Authority shall, within six months of the effective date of the toll increase, establish an independent oversight committee, with specified composition and duties; now, therefore, be it

RESOLVED, that the Authority specifically finds and declares that the statements, findings and determinations of the Authority set forth in the preambles above are true and correct; and be it further

RESOLVED, that pursuant to SHC § 30923(h), the Authority hereby establishes the Regional Measure 3 Independent Oversight Committee (“Committee”); and be it further

RESOLVED, that the Committee shall annually review the expenditure of funds by the Authority for the projects and programs specified in SHC § 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings, and that the Committee may request any documents from the Authority to assist the Committee in performing its functions; and be it further

RESOLVED, that pursuant to SHC § 30923(h)(2), the Committee shall include two representatives from each county within the jurisdiction of the Metropolitan Transportation Commission (the "Commission"), and each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and be limited to two terms; and be it further

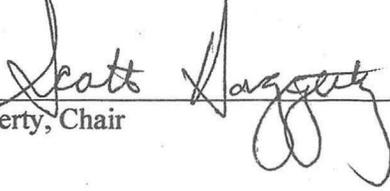
RESOLVED, that pursuant to SHC § 30923(h)(3), a representative appointed to the Committee shall not be a member, former member, staff, or former staff of the Commission or the Authority, shall not be employed by any organization or person that has received or is receiving funding from the Commission or the Authority, and shall not be a former employee or a person who has contracted with any organization or person that has received or is receiving funding from the Commission or the Authority within one year of having worked for or contracted with that organization or person; and be it further

RESOLVED, that the Committee roster, as appointed by the applicable county board of supervisors, is contained in Attachment A to this resolution; and be it further

RESOLVED, that the travel reimbursement rate and stipend policy for members of the Committee is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Chair of the Authority, the Vice Chair of the Authority, the Executive Director, the Chief Financial Officer and other appropriate officers and staff of the Authority, are hereby authorized and directed, jointly and severally, for and in the name and on behalf of the Authority, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution in accordance with the terms hereof and of applicable provisions of law.

BAY AREA TOLL AUTHORITY



Scott Haggerty, Chair

The above resolution was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in San Francisco, California, on June 26, 2019.

Date: June 26, 2019
 Referred by: BATA Oversight
 Revised: 07/24/19-BATA 10/23/19-BATA
 11/20/19-BATA 11/15/23-BATA

Attachment A
 BATA Resolution No. 131
 Page 1 of 2

Regional Measure 3 Independent Oversight Committee Membership 2019-2023

County	Member Name	Term Length	Term No.
Alameda	Anu Natarajan	July 2019 – June 2023	First
Alameda	William Harrison	July 2019 – June 2023	First
Contra Costa	Nazanin Shakerin	July 2019 – June 2023	First
Contra Costa	Kathy Chang	July 2019 – June 2023	First
Marin	Kevin Hagerty	July 2019 – June 2023	First
Marin	William McNicholas	July 2019 – June 2023	First
Napa	David Bailey	July 2019 – June 2023	First
Napa	Pamela Kindig	July 2019 – June 2023	First
San Francisco	<i>To be appointed by Board of Supervisors</i>	July 2019 – June 2023	First
San Francisco	<i>To be appointed by Board of Supervisors</i>	July 2019 – June 2023	First
San Mateo	Frederick A. Hansson	July 2019 – June 2023	First
San Mateo	Pam Frisella	July 2019 – June 2023	First
Santa Clara	Joanne Benjamin	July 2019 – June 2023	First
Santa Clara	David Fung	July 2019 – June 2023	First
Solano	Steve Lessler	July 2019 – June 2023	First
Solano	William G. Jerry Hayes	July 2019 – June 2023	First
Sonoma	<i>To be appointed by Board of Supervisors</i>	July 2019 – June 2023	First
Sonoma	<i>To be appointed by Board of Supervisors</i>	July 2019 – June 2023	First

Regional Measure 3 Independent Oversight Committee Membership 2023-2027

County	Member Name	Term Length	Term No.¹
Alameda	Anu Natarajan	July 2023 – June 2027	First
Alameda	Tim Ambrose	July 2023 – June 2027	First
Contra Costa	<i>To be appointed by Board of Supervisors</i>	July 2023 – June 2027	First
Contra Costa	<i>To be appointed by Board of Supervisors</i>	July 2023 – June 2027	First
Marin	Kevin Hagerty	July 2023 – June 2027	First
Marin	Joanne Webster	July 2023 – June 2027	First
Napa	David Bailey	July 2023 – June 2027	First
Napa	Pamela Kindig	July 2023 – June 2027	First
San Francisco	Brian David	July 2023 – June 2027	First
San Francisco	<i>To be appointed by Board of Supervisors</i>	July 2023 – June 2027	First
San Mateo	Frederick A. Hansson	July 2023 – June 2027	First
San Mateo	Pam Frisella	July 2023 – June 2027	First
Santa Clara	<i>To be appointed by Board of Supervisors</i>	July 2023 – June 2027	First
Santa Clara	<i>To be appointed by Board of Supervisors</i>	July 2023 – June 2027	First
Solano	Steve Lessler	July 2023 – June 2027	First
Solano	William G. Jerry Hayes	July 2023 – June 2027	First
Sonoma	John Maitland	July 2023 – June 2027	First
Sonoma	Steve Birdlebough	July 2023 – June 2027	First

Notes

1. The IOC did not meet during the 2019-2023 term due to ongoing litigation and no expenditure of RM3 funds. Therefore, for any reappointees for the 2023-2027 term, the 2023-2027 term shall count as the first term for the purposes of fulfilling term limits in SHC 30923(h)(2).

Date: June 26, 2019
Referred by: BATA Oversight
Revised: 11/15/23-BATA

Attachment B
BATA Resolution No. 131
Page 1 of 1

Travel Reimbursement Rate and Stipend for Members of the Regional Measure 3 Independent Oversight Committee

1. Individual members of the Regional Measure 3 Independent Oversight Committee (“Committee”) appointed by county boards of supervisors shall each be eligible to receive a stipend of \$50 per meeting of the Committee, as defined below, with a maximum of four meetings per year. Meetings are defined as publicly noticed meetings or subcommittee meetings of the Committee.
2. Members of the Committee may be reimbursed for actual travel expenses, as defined below, for a maximum of four meetings per year.
3. The mileage reimbursement rate is the rate allowable by the Internal Revenue Service when a personal vehicle is used. Related bridge tolls, parking fees and actual expenses for use of public transit will be reimbursed.

All requests for stipend and reimbursement of expenses shall be submitted quarterly to the Committee staff liaison and processed according to the procedures established by MTC's Executive Director.

The MTC Chief Deputy Executive Director, shall administer this Attachment B. Any questions regarding its application shall be decided by the MTC Chief Deputy Executive Director, whose decision shall be final.

State of California

STREETS AND HIGHWAYS CODE

Section 30914.7

30914.7. (a) If the voters approve a toll increase pursuant to Section 30923, the authority shall, consistent with the provisions of this section fund the projects and programs described in this subdivision that shall collectively be known as the Regional Measure 3 expenditure plan by bonding or transfers to the Metropolitan Transportation Commission. These projects and programs have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, from toll revenues of all bridges:

(1) BART Expansion Cars. Purchase new railcars for the Bay Area Rapid Transit District (BART) to expand its fleet and improve reliability. The project sponsor is BART. Five hundred million dollars (\$500,000,000).

(2) Bay Area Corridor Express Lanes. Fund the environmental review, design, and construction of express lanes to complete the Bay Area Express Lane Network, including supportive operational improvements to connecting transportation facilities. Eligible projects include, but are not limited to, express lanes on Interstate 80, Interstate 580, and Interstate 680 in the Counties of Alameda and Contra Costa, Interstate 880 in the County of Alameda, Interstate 280 in the City and County of San Francisco, Highway 101 in the City and County of San Francisco and the County of San Mateo, State Route 84 and State Route 92 in the Counties of Alameda and San Mateo, Interstate 80 from Red Top Road to the intersection with Interstate 505 in the County of Solano, and express lanes in the County of Santa Clara. Eligible project sponsors include the Bay Area Infrastructure Financing Authority, and any countywide or multicounty agency in a bay area county that is authorized to implement express lanes. The Metropolitan Transportation Commission shall make funds available based on performance criteria, including benefit-cost and project readiness. Three hundred million dollars (\$300,000,000).

(3) Goods Movement and Mitigation. Provide funding to reduce truck traffic congestion and mitigate its environmental effects. Eligible projects include, but are not limited to, improvements in the County of Alameda to enable more goods to be shipped by rail, access improvements on Interstate 580, Interstate 80, and Interstate 880, and improved access to the Port of Oakland. The Metropolitan Transportation Commission shall consult and coordinate with the Alameda County Transportation Commission to select projects for the program. Eligible applicants include cities, counties, countywide transportation agencies, rail operators, and the Port of Oakland. The project sponsors are the Metropolitan Transportation Commission and the Alameda County Transportation Commission. One hundred sixty million dollars (\$160,000,000).

(4) San Francisco Bay Trail/Safe Routes to Transit. Provide funding for a competitive grant program to fund bicycle and pedestrian access improvements on and in the vicinity of the state-owned toll bridges connecting to rail transit stations and ferry terminals. Eligible applicants include cities, counties, transit operators, school districts, community colleges, and universities. The project sponsor is the Metropolitan Transportation Commission. One hundred fifty million dollars (\$150,000,000).

(5) Ferry Enhancement Program. Provide funding to purchase new vessels, upgrade and rehabilitate existing vessels, build facilities and landside improvements, and upgrade existing facilities. The project sponsor is the San Francisco Bay Area Water Emergency Transportation Authority. Three hundred million dollars (\$300,000,000).

(6) BART to San Jose Phase 2. Extend BART from Berryessa Station to San Jose and Santa Clara. The project sponsor is the Santa Clara Valley Transportation Authority. Three hundred seventy-five million dollars (\$375,000,000).

(7) Sonoma-Marin Area Rail Transit District (SMART). Provide funding to extend the rail system north of the Charles M. Schulz-Sonoma County Airport to the Cities of Windsor and Healdsburg. The project sponsor is the Sonoma-Marin Area Rail Transit District. Forty million dollars (\$40,000,000).

(8) Capitol Corridor. Provide funding for track infrastructure that will improve the performance of Capital Corridor passenger rail operations by reducing travel times, adding service frequencies, and improving system safety and reliability. The project sponsor is the Capital Corridor Joint Powers Authority. Ninety million dollars (\$90,000,000).

(9) Caltrain Downtown Extension. Extend Caltrain from its current terminus at Fourth Street and King Street to the Transbay Transit Center. The Metropolitan Transportation Commission shall allocate funding to the agency designated to build the project, which shall be the project sponsor. Three hundred twenty-five million dollars (\$325,000,000).

(10) MUNI Fleet Expansion and Facilities. Fund replacement and expansion of the San Francisco Municipal Transportation Agency's MUNI vehicle fleet and associated facilities. The project sponsor is the San Francisco Municipal Transportation Agency. One hundred forty million dollars (\$140,000,000).

(11) Core Capacity Transit Improvements. Implement recommendations from the Core Capacity Transit Study and other ideas to maximize person throughput in the transbay corridor. Eligible projects include, but are not limited to, transbay bus improvements and high-occupancy vehicle (HOV) lane access improvements. Priority funding shall be the Alameda-Contra Costa Transit District's (AC Transit) Tier 1 and Tier 2 projects identified in the study. The project sponsors are the Metropolitan Transportation Commission, Alameda County Transportation Commission, and AC Transit. One hundred forty million dollars (\$140,000,000).

(12) Alameda-Contra Costa Transit District (AC Transit) Rapid Bus Corridor Improvements. Fund bus purchases and capital improvements to reduce travel times and increase service frequency along key corridors. The project sponsors are AC

Transit and Alameda County Transportation Commission. One hundred million dollars (\$100,000,000).

(13) Transbay Rail Crossing. Fund preliminary engineering, environmental review, and design of a second transbay rail crossing and its approaches to provide additional rail capacity, increased reliability, and improved resiliency to the corridor. Subject to approval by the Metropolitan Transportation Commission, funds may also be used for construction, and, if sufficient matching funds are secured, to fully fund a useable segment of the project. The project sponsor is the Bay Area Rapid Transit District. Fifty million dollars (\$50,000,000).

(14) Tri-Valley Transit Access Improvements. Provide interregional and last-mile transit connections on the Interstate 580 corridor in the County of Alameda within the Tri-Valley area of Dublin, Pleasanton, and Livermore. The Metropolitan Transportation Commission shall consult with the Alameda County Transportation Commission, the Bay Area Rapid Transit District, and local jurisdictions to determine the project sponsor. One hundred million dollars (\$100,000,000).

(15) Eastridge to BART Regional Connector. Extend Santa Clara Valley Transportation Authority light rail from the Alum Rock station to the Eastridge Transit Center. The project sponsor is the Santa Clara Valley Transportation Authority. One hundred thirty million dollars (\$130,000,000).

(16) San Jose Diridon Station. Redesign, rebuild, and expand Diridon Station to more efficiently and effectively accommodate existing regional rail services, future BART and high-speed rail service, and Santa Clara Valley Transportation Authority light rail and buses. The project sponsor shall consider accommodating a future connection to Norman Y. Mineta San Jose International Airport and prioritizing non-auto access modes. The project sponsor is the Santa Clara Valley Transportation Authority. One hundred million dollars (\$100,000,000).

(17) Dumbarton Corridor Improvements. Fund planning, environmental review, design, and construction of capital improvements within Dumbarton Bridge and rail corridor in the Counties of Alameda and San Mateo to relieve congestion, increase person throughput, and offer reliable travel times. Eligible projects include, but are not limited to, the projects recommended in the Dumbarton Corridor Transportation Study and improvements to facilitate rail and transit connectivity among the Altamont Corridor Express, Capitol Corridor, and Bay Area Rapid Transit District, including a rail connection at Shinn Station. The project sponsors are the Bay Area Toll Authority, Alameda County Transportation Commission, the San Mateo County Transit District, and the San Mateo County Transportation Authority. One hundred thirty million dollars (\$130,000,000).

(18) Highway 101/State Route 92 Interchange. Fund improvements to the interchange of Highway 101 and State Route 92 in the County of San Mateo. The project is jointly sponsored by the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority. Fifty million dollars (\$50,000,000).

(19) Contra Costa Interstate 680/State Route 4 Interchange Improvements. Fund improvements to the Interstate 680/State Route 4 interchange to improve safety and

reduce congestion, including, but not limited to, a new direct connector between northbound Interstate 680 and westbound State Route 4, a new direct connector between eastbound State Route 4 and southbound Interstate 680, and widening of State Route 4 to add auxiliary lanes and high-occupancy vehicle lanes. The project sponsor is the Contra Costa Transportation Authority. Two hundred ten million dollars (\$210,000,000).

(20) Highway 101-Marin/Sonoma Narrows. Construct northbound and southbound high-occupancy vehicle lanes on Highway 101 between Petaluma Boulevard South in Petaluma and Atherton Avenue in Novato. The project sponsors are the Transportation Authority of Marin and the Sonoma County Transportation Authority. One hundred twenty million dollars (\$120,000,000).

(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).

(22) Interstate 80 Westbound Truck Scales. Improve freight mobility, reliability, and safety on the Interstate 80 corridor by funding improvements to the Interstate 80 Westbound Truck Scales in the County of Solano. The project sponsor is the Solano Transportation Authority. One hundred five million dollars (\$105,000,000).

(23) State Route 37 Improvements. Fund near-term and longer-term improvements to State Route 37 to improve the roadway's mobility, safety, and long-term resiliency to sea level rise and flooding. For the purposes of the environmental review and design, the project shall include the segment of State Route 37 from the intersection in Marin County with Highway 101 to the intersection with Interstate 80 in the County of Solano. Capital funds may be used on any segment along this corridor, as determined by the project sponsors. The project is jointly sponsored by the Transportation Authority of Marin, the Napa Valley Transportation Authority, the Solano Transportation Authority, and the Sonoma County Transportation Authority. Funds for this project may be allocated to any of the project sponsors. One hundred million dollars (\$100,000,000).

(24) San Rafael Transit Center. Construct a replacement to the San Rafael (Bettini) Transit Center on an existing or new site, or both, in downtown San Rafael. The selected alternative shall be approved by the City of San Rafael, the Golden Gate Bridge, Highway and Transportation District, the Transportation Authority of Marin, and Marin Transit. The project sponsor is the Golden Gate Bridge, Highway and Transportation District. Thirty million dollars (\$30,000,000).

(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).

(26) North Bay Transit Access Improvements. Provide funding for transit improvements, including, but not limited to, bus capital projects, including vehicles, transit facilities, and access to transit facilities, benefiting the Counties of Marin, Sonoma, Napa, Solano, and Contra Costa. Priority shall be given to projects that are fully funded, ready for construction, and serving rail transit or transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. The project sponsor is the Metropolitan Transportation Commission. Eligible applicants are any transit operator providing service in the Counties of Contra Costa, Marin, Napa, Solano, or Sonoma. One hundred million dollars (\$100,000,000).

(27) State Route 29. Eligible project expenses include State Route 29 major intersection improvements, including Soscol Junction, and signal and signage improvements, which may include multimodal infrastructure and safety improvements between Carneros Highway (State Route 12/121) and American Canyon Road. The project sponsor is the Napa Valley Transportation Authority. Twenty million dollars (\$20,000,000).

(28) Next-Generation Clipper Transit Fare Payment System. Provide funding to design, develop, test, implement, and transition to the next generation of Clipper, the bay area's transit fare payment system. The next-generation system will support a universal, consistent, and seamless transit fare payment system for the riders of transit agencies in the bay area. The project sponsor is the Metropolitan Transportation Commission. Fifty million dollars (\$50,000,000).

(29) Interstate 680/Interstate 880/Route 262 Freeway Connector. Connect Interstate 680 and Interstate 880 in southern Alameda County to improve traffic movement, reduce congestion, and improve operations and safety. The project sponsor is the Alameda County Transportation Commission. Fifteen million dollars (\$15,000,000).

(30) Interstate 680/State Route 84 Interchange Reconstruction Project. Improve safety and regional and interregional connectivity by conforming State Route 84 to expressway standards between south of Ruby Hill Drive and the Interstate 680 interchange in southern Alameda County and implementing additional improvements to reduce weaving and merging conflicts and help address the additional traffic demand between Interstate 680 and State Route 84. The project sponsor is the Alameda County Transportation Commission. Eighty-five million dollars (\$85,000,000).

(31) Interstate 80 Transit Improvements. Fund improvements to support expanded bus service in the Interstate 80 corridor including, but not limited to, bus purchases, expansion of the WestCAT storage yard and maintenance facility. Fund implementation of the San Pablo Avenue Multi-modal Corridor (AC Transit). The project sponsor is the Contra Costa Transportation Authority. Twenty-five million dollars (\$25,000,000).

(32) Byron Highway-Vasco Road Airport Connector. Fund construction of a new connector between Byron Highway and Vasco Road south of Camino Diablo Road as well as shoulder and other improvements to the Byron Highway, including a railroad grade separation, to improve safety and access to the Byron Airport and to facilitate

economic development and access for goods movement in East Contra Costa County. The project sponsor is the Contra Costa Transportation Authority. Ten million dollars (\$10,000,000).

(33) Vasco Road Safety Improvements. Fund the widening of lanes and construction of a concrete median barrier along 2.5 miles of Vasco Road beginning approximately three miles north of the Contra Costa/Alameda County Line. The project sponsor is the Contra Costa Transportation Authority. Fifteen million dollars (\$15,000,000).

(34) East Contra Costa County Transit Intermodal Center. Fund the construction of a Transit Intermodal Center in Brentwood enhancing access to eBART and Mokelumne Bike Trail/Pedestrian Overcrossing at State Route 4. The project sponsor is the Contra Costa Transportation Authority. Fifteen million dollars (\$15,000,000).

(35) Interstate 680 Transit Improvements. Fund improvements that will enhance transit service in the Interstate 680 corridor, including, but not limited to, implementing bus operations on shoulder (BOS), technology-based intermodal transit centers/managed parking lots and development of technology to enhance real-time travel information. Fund implementation of Shared Autonomous Vehicles (SAVs) to improve first and last mile transit connectivity. The project sponsor is the Contra Costa Transportation Authority. Ten million dollars (\$10,000,000).

(b) Pursuant to subdivision (a) of Section 30923, if the authority selects a toll increase to be placed on the ballot in an amount less than three dollars (\$3), the funding assigned to the projects and programs identified in subdivision (a) shall be adjusted proportionately to account for reduced funding capacity. The authority shall adopt a resolution detailing the updated Regional Measure 3 capital and operating funding available and listing the revised funding amounts for each project within 90 days of the certification of the election by the last county to certify the election on the toll increase. The authority shall update this resolution as needed to reflect additional tolls approved in subsequent elections.

(c) (1) Not more than 16 percent, up to sixty million dollars (\$60,000,000), of the revenues generated each year from the toll increase approved by the voters pursuant to Section 30923 shall be made available annually for the purpose of providing operating assistance as set forth in the authority's annual budget resolution for the purposes listed in paragraph (2). The funds shall be made available to the provider of the transit services subject to the performance measures described in paragraph (3).

(2) The Metropolitan Transportation Commission shall annually fund the following operating programs from the revenue generated each year from the toll increase approved by the voters pursuant to Section 30923 as another component of the Regional Measure 3 expenditure plan:

(A) The San Francisco Transbay Terminal. Eight percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed five million dollars (\$5,000,000). These funds are available for transportation-related costs associated with operating the terminal. The Transbay Joint Powers Authority shall pursue other long-term, dedicated operating revenue to fund its operating costs. To the extent that a portion or all of the toll revenue provided pursuant to this subparagraph is not needed

in a given fiscal year, the Metropolitan Transportation Commission shall reduce the allocation accordingly.

(B) (i) Expanded Ferry Service. Ten million dollars (\$10,000,000) in the first year of allocation, fifteen million dollars (\$15,000,000) in the second year of allocation, twenty million dollars (\$20,000,000) in the third year of allocation, and twenty-five million dollars (\$25,000,000) in the fourth year of allocation. These allocation amounts shall be subject to the adjustments in subdivision (b). In the fifth year of allocation and thereafter, 58 percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed thirty-five million dollars (\$35,000,000). These funds shall be made available to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) to support expanded ferry service, including increased frequencies of existing routes and the operation of new routes.

(ii) To the extent that funds provided pursuant to clause (i) are not requested for expenditure by WETA in a given year, the funds shall be held by the authority in a reserve account. Those funds shall be made available to WETA for any capital or operating purpose. Before receiving an allocation of those funds, WETA shall submit a request to the Metropolitan Transportation Commission detailing how the funds shall be used. An allocation of those funds shall constitute an augmentation of the funding provided in paragraph (5) of subdivision (a) and be treated as such in any reports by the authority regarding the Regional Measure 3 expenditure plan.

(C) Regional Express Bus. Thirty-four percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed twenty million dollars (\$20,000,000), to be distributed for bus service in the bridge corridors, prioritizing bus routes that carry the greatest number of transit riders. To the extent that a portion or all of the toll revenue provided pursuant to this subparagraph is not needed in a given fiscal year, the Metropolitan Transportation Commission shall reduce the allocation accordingly.

(3) Before the allocation of revenue for transit operating assistance under subparagraphs (A) and (C) of paragraph (2), the Metropolitan Transportation Commission shall:

(A) Adopt performance measures related to fare-box recovery, ridership, or other indicators, as appropriate. The performance measures shall be developed in consultation with the affected project sponsors.

(B) Execute an operating agreement with the sponsor of the project. This agreement shall include, but is not limited to, an operating plan that is consistent with the adopted performance measures. The agreement shall include a schedule of projected fare revenues or other forecast revenue and any other operating funding that will be dedicated to the service or terminal. For any individual project sponsor, this operating agreement may include additional requirements, as determined by the commission.

(C) In an operating agreement executed pursuant to subparagraph (B), the Metropolitan Transportation Commission shall grant a project sponsor at least five years to achieve the adopted performance measures. The Metropolitan Transportation Commission shall use a ridership forecast as the basis for performance measures adopted pursuant to subparagraph (A) and to establish performance measures in

following years. If the transit service of a project sponsor does not achieve the performance measures within the timeframe granted to the project sponsor, the project sponsor shall notify the Metropolitan Transportation Commission. The Metropolitan Transportation Commission may revise the performance measures, extend the timeframe to achieve the performance measures, or take action to reduce the funding available for operations if the performance measures are not met within the new timeframe.

(4) Before Metropolitan Transportation Commission providing funding to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) under subdivision (a) or this subdivision, WETA and the MTC shall do the following, as applicable:

(A) WETA shall adopt a plan that includes systemwide and route-specific performance measures related to fare-box recovery, ridership, and any other measures as deemed appropriate by WETA in consultation with MTC.

(B) WETA and MTC shall execute an operating agreement that establishes a five-year plan for new or enhanced services and outlines incremental steps needed to achieve a reasonable level of service productivity and cost-effectiveness as compared to similar ferry services provided across the bay area.

(C) After the time period identified in subparagraph (B), and if reasonable, but incomplete progress has been achieved to meet the performance measures identified in subparagraph (A), WETA, in consultation with MTC, may propose a new timeframe, not longer than an additional five years, to achieve the performance measures and take needed steps to remedy the service to meet the measures. In the event that the performance measures are not met within the new timeframe, WETA may seek additional time to achieve the measures and MTC may determine whether services should continue and may establish other conditions to service in consultation with WETA. In all cases, funds not spent or made available to WETA shall be returned to the reserve account established pursuant to clause (ii) of subparagraph (B) of paragraph (2).

(D) WETA shall use the plan identified in subparagraph (A) to prioritize the use of capital funding made available by this section to support its mission as the operator of ferry services.

(E) This section does not restrict WETA with respect to meeting its obligations as the coordinating agency for water transit response to regional emergencies.

(d) (1) For all projects authorized under subdivision (a), the project sponsor shall submit an initial project report to the Metropolitan Transportation Commission within six months of the election approving the toll increase. This report shall include all information required to describe the project in detail, including the status of any environmental documents relevant to the project, additional funds required to fully fund the project, the amount, if any, of funds expended to date, and a summary of any impediments to the completion of the project. This report, or an updated report, shall include a detailed financial plan and shall notify the commission if the project sponsor will request toll revenue within the subsequent 12 months. The project sponsor shall update this report as needed or requested by the commission. Funds shall not

be allocated by the commission for any project authorized by subdivision (a) until the project sponsor submits the initial project report, and the report is reviewed and approved by the commission.

(2) If multiple project sponsors are listed for projects listed in subdivision (a), the commission shall identify a lead sponsor in coordination with all identified sponsors, for purposes of allocating funds. For any projects authorized under subdivision (a), the commission shall have the option of requiring a memorandum of understanding between itself and the project sponsor or sponsors that shall include any specific requirements that must be met before the allocation of funds provided under subdivision (a).

(e) If a program or project identified in subdivision (a) has cost savings after completion, taking into account construction costs and an estimate of future settlement claims, or cannot be completed or cannot continue due to delivery or financing obstacles making the completion or continuation of the program or project unrealistic, the commission shall consult with the program or project sponsor. After consulting with the sponsor, the commission shall hold a public hearing concerning the program or project. After the hearing, the commission may vote to modify the program or the project's scope, decrease its level of funding, or reassign some or all of the funds to another project within the same bridge corridor. If a program or project identified in subdivision (a) is to be implemented with other funds not derived from tolls, the commission shall follow the same consultation and hearing process described above and may vote thereafter to reassign the funds to another project consistent with the intent of this chapter.

(f) If the voters approve a toll increase pursuant to Section 30923, the authority shall within 24 months of the election date include the projects in a long-range bridge toll plan. The authority shall update its long-range plan as required to maintain its viability as a strategic plan for funding projects authorized by this section. The authority shall, by January 1, 2020, submit its updated long-range bridge toll plan to the transportation policy committee of each house of the Legislature for review. This subdivision, to the extent a plan is prepared under this section, supersedes the requirement to prepare and submit a 20-year toll bridge expenditure plan to the Legislature for adoption pursuant to subdivision (h) of Section 30914.

(g) This section does not alter the obligations of the Metropolitan Transportation Commission with respect to the requirements of Section 65080 of the Government Code.

(Amended by Stats. 2018, Ch. 92, Sec. 207. (SB 1289) Effective January 1, 2019.)



State of California

STREETS AND HIGHWAYS CODE

Section 30923

30923. (a) For purposes of the special election to be conducted pursuant to this section, the authority shall select an amount of the proposed increase in the toll rate, not to exceed three dollars (\$3), for vehicles crossing the bridges described in Section 30910 to be placed on the ballot for approval by the voters.

(b) The toll rate for vehicles crossing the bridges described in Section 30910 shall not be increased by the rate selected by the authority pursuant to subdivision (a) prior to the availability of the results of a special election to be 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 to determine whether the residents of those counties and of the City and County of San Francisco approve the toll increase.

(c) (1) Notwithstanding any provision of the Elections Code, the Board of Supervisors of the City and County of San Francisco and of each of the counties described in subdivision (b) shall call a special election to be conducted in the City and County of San Francisco and in each of the counties that shall be consolidated with a statewide primary or general election, which shall be selected by the authority.

(2) The authority shall determine the ballot question, which shall include the amount of the proposed toll increase selected pursuant to subdivision (a) and a summary of the Regional Measure 3 expenditure plan. The ballot question shall be submitted to the voters as Regional Measure 3 and stated separately in the ballot from state and local measures.

(d) The ballot pamphlet for the special election shall include a summary of the Regional Measure 3 expenditure plan regarding the eligible projects and programs to be funded pursuant to Section 30914.7. The Metropolitan Transportation Commission shall prepare a summary of the Regional Measure 3 expenditure plan.

(e) The county clerks shall report the results of the special election to the authority. If a majority of all voters voting on the question at the special election vote affirmatively, the authority may phase in the increased toll schedule consistent with subdivision (c) of Section 30916.

(f) If a majority of all the voters voting on the question at the special election do not approve the toll increase, the authority may by resolution resubmit the measure to the voters at a subsequent statewide primary or general election. If a majority of all of the voters vote affirmatively on the measure, the authority may adopt the toll increase and establish its effective date and establish the completion dates for all reports and studies required by Sections 30914.7 and 30950.3.

(g) (1) Each county and city and county shall share translation services for the ballot pamphlet and shall provide the authority a certified invoice that details the

incremental cost of including the measure on the ballot, as well as the total costs associated with the election.

(2) The authority shall reimburse each county and city and county participating in the election for the incremental cost of submitting the measure to the voters. These costs shall be reimbursed from revenues derived from the tolls if the measure is approved by the voters, or, if the measure is not approved, from any bridge toll revenues administered by the authority.

(h) (1) If the voters approve a toll increase pursuant to this section, the authority shall establish an independent oversight committee within six months of the effective date of the toll increase to ensure that any toll revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Section 30914.7.

(2) The oversight committee shall include two representatives from each county within the jurisdiction of the commission. Each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and shall be limited to two terms. The oversight committee shall annually review the expenditure of funds by the authority for the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings. The oversight committee may request any documents from the authority to assist the committee in performing its functions.

(3) A representative appointed to the oversight committee shall not be a member, former member, staff, or former staff of the commission or the authority, shall not be employed by any organization or person that has received or is receiving funding from the commission or the authority, and shall not be a former employee or a person who has contracted with any organization or person that has received or is receiving funding from the commission or the authority within one year of having worked for or contracted with that organization or person.

(i) If voters approve a toll increase pursuant to this section, the authority shall annually prepare a report to the Legislature, in conformance with Section 9795 of the Government Code, on the status of the projects and programs funded pursuant to Section 30914.7.

(j) Except as provided in subdivision (c) of Section 30916 and Section 30918, the toll increase adopted by the authority pursuant to this section shall not be changed without statutory authorization by the Legislature.

(Amended by Stats. 2018, Ch. 16, Sec. 1. (AB 1041) Effective January 1, 2019.)



Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 24-0342 **Version:** 1 **Name:**

Type: Action Item **Status:** Committee Approval

File created: 2/26/2024 **In control:** Regional Measure 3 (RM3) Independent Oversight Committee

On agenda: 3/4/2024 **Final action:**

Title: Regional Measure 3 Independent Oversight Committee Chair and Vice Chair

Nomination and Election of the Chair and Vice Chair of the Regional Measure 3 Independent Oversight Committee

Sponsors:

Indexes:

Code sections:

Attachments: [4a Summary Sheet RM3IOC Chair and ViceChair Elections](#)

Date	Ver.	Action By	Action	Result
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Subject:

Regional Measure 3 Independent Oversight Committee Chair and Vice Chair

Nomination and Election of the Chair and Vice Chair of the Regional Measure 3 Independent Oversight Committee

Presenter:

Theresa Romell, MTC

Recommended Action:

Approval

Attachments:

Regional Measure 3 Independent Oversight Committee

March 4, 2024

Agenda Item 4a

Election of Chair and Vice Chair

Subject:

Nomination and election of the Chair and Vice Chair of the Regional Measure 3 (RM3) Independent Oversight Committee.

Background:

In June 2019, BATA adopted Resolution No. 131, establishing the Regional Measure 3 (RM3) Independent Oversight Committee. The California Streets and Highways Code Section 30923(h)(2) requires the Independent Oversight Committee to be composed of two representatives from each county within the jurisdiction of the Metropolitan Transportation Commission, to be appointed by the applicable county Board of Supervisors to serve a four-year term, limited to two terms.

Due to the litigation involving RM3 that was not resolved until 2023, the Independent Oversight Committee was not convened, as no RM3 expenditures were made during the period.

Staff revised Resolution 131 in November of 2023, to update membership for the four-year term beginning July 2023 through June 2027.

With RM3 operating program allocations having commenced in May 2023 and capital allocations in June 2023, the Independent Oversight Committee is being convened to begin work on its mandate to annually review the expenditure of RM3 funds and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings.

Issues:

None identified.

Recommendations:

Staff recommends that the Committee nominate and elect a Chair and Vice-Chair of the RM3 Independent Oversight Committee to serve for a two year term.

Attachments:

None.



Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 24-0321 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 2/21/2024 **In control:** Regional Measure 3 (RM3) Independent Oversight Committee

On agenda: 3/4/2024 **Final action:**

Title: Regional Measure 3 Program Overview

Sponsors:

Indexes:

Code sections:

Attachments: [5a. Presentation intro](#)
[5ai AttachA-Presentation](#)

Date	Ver.	Action By	Action	Result
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Subject:

Regional Measure 3 Program Overview

Presenter:

Craig Bosman, MTC

Recommended Action:

Information

Attachments:

Regional Measure 3 Independent Oversight Committee

March 4, 2024

Agenda Item 5a

Regional Measure 3 Program Overview

Subject:

Presentation overview of Regional Measure 3 Program

Background:

The attached presentation provides overview slides on RM3, the expenditure plan, the independent oversight committee and its role, MTC's adopted RM3 Policies and Procedures, updates to the expenditure plan, and allocations to date.

Issues:

None.

Recommendation:

Information only.

Attachments:

- Attachment A: RM3 Program Overview Presentation


Alix Bockelman

Regional Measure 3 Program Overview

RM3 Independent Oversight Committee

March 4, 2024

MTC Staff

Agenda Item 5a Attachment A



**METROPOLITAN
TRANSPORTATION
COMMISSION**

RM3 Background

- Voters approved a \$3 toll increase on state-owned bridges to be phased in over six years starting January 1, 2019
- RM3 Expenditure Plan identified capital and operating investments to improve transportation system regionwide
- Legal challenges delaying release of RM3 funds were dismissed in early 2023

RM3 Expenditure Plan

- California Streets and Highways Code (Section 30914.7) defines RM3 capital and operating expenditure plans
- Capital program:
 - 35 named projects/programs
 - \$4.45 billion
- Operating program:
 - 3 named projects
 - Up to 16% of RM3 revenues annually, up to \$60 million

Role of Independent Oversight Committee

“[BATA] shall establish an independent oversight committee ...to ensure that any toll revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Section 30914.7”

“The oversight committee shall annually review the expenditure of funds by the authority for the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings.”

Review of Expenditures

- Annual review of capital and operating allocations made by Commission
- Annual review of reimbursement amounts paid against capital and operating allocations

RM3 Policies and Procedures

- MTC adopted Resolution No. 4404 establishing RM3 Policies and Procedures to provide guidance for the administration of capital and operating funds
- Above and beyond statutory requirements
- Covers allocation and funding agreement process, expenditures and reimbursements, timely use of funds, monitoring and reporting requirements, and more

RM 3 Expenditure Plan Updates Are Allowed

- Legislators anticipated that changes might need to be made to the expenditure plan over time, so spelled out the process to do so.
- Circumstances include if a project has cost savings after completion, cannot be completed or cannot continue, or is to be implemented with non-toll funds.
- MTC must first consult with project sponsor and hold a public hearing. It may then vote to modify scope, decrease level of funding, or reassign some or all the funding to another project within the same bridge corridor.

Changes to RM3 Expenditure Plan to Date

- One such public hearing process and set of expenditure plan modifications has taken place to date
 - Public hearing date: December 13, 2023
 - Expenditure plan modification approval: January 24, 2024
 - Modified five projects and reassigned \$16.7 million in capital funds
- Changes clarified scope elements and project limits, and reconciled a loan arrangement by transferring funding between two projects resulting in a net zero change

Capital Allocations to Date

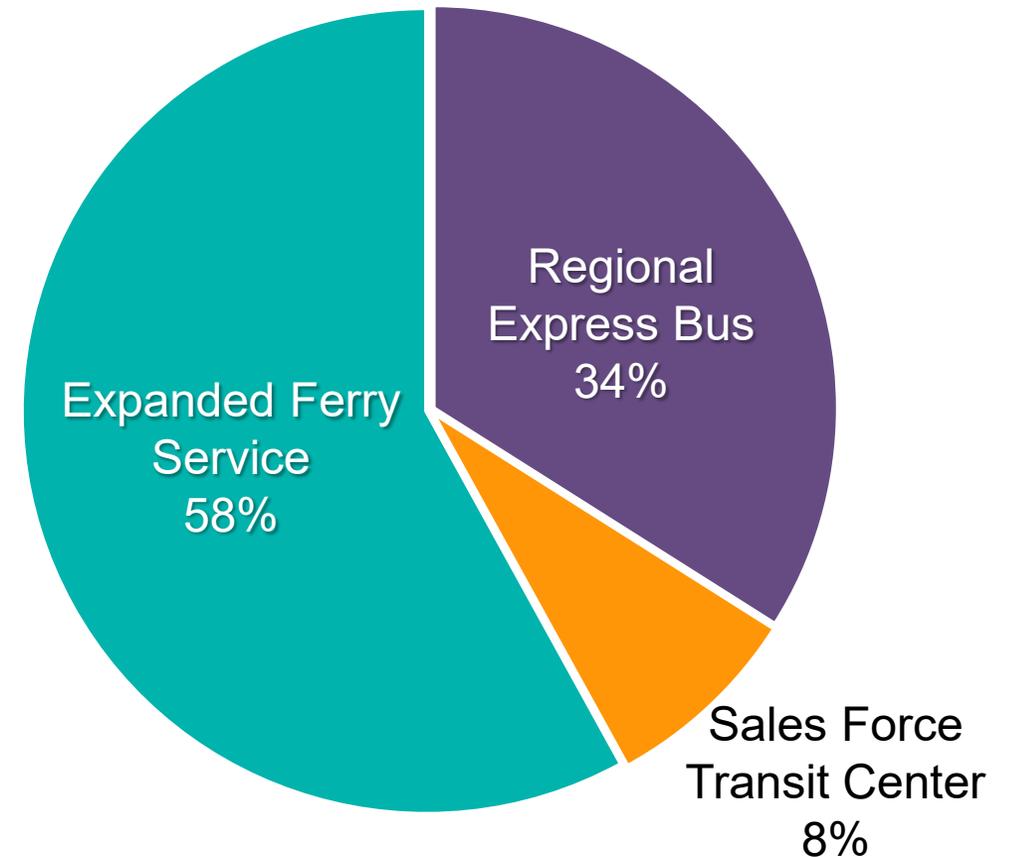
- Allocations began in June 2023
- Through February 2024:
 - \$911 million in allocations have been made overall
 - Allocations have been made to 21 of 35 projects listed in statute

RM3 Operating Program Update

RM 3 Operating Program Overview

- Maximum of 16% of RM3 revenues annually for operating assistance
- Three components and their funding levels are listed in statute
- Operating funding is for transit service, including ferry and express bus service, and the operation of the Salesforce Transit Center, the major transit hub in downtown SF operated by the Transbay Joint Powers Authority.
- Supports existing, more frequent, or new transit service.

RM3 Operating Program
(16% Annual RM3 Revenue)



RM3 Operating Program Policies and Procedures – Express Bus Prioritization Criteria

- Commission adopted interim methodology to identify Express Bus funding levels for FY2022-23 year only
- FY2022-23 Express Bus funding levels are based on recent RM2 operating program revenue reductions plus ridership
- Future funding distributions will consider factors including ridership, equity, regional connectivity, and alignment with regional policies

RM3 Operating Program FY2022-23 Summary

Operating Program Sponsor	Amount
Regional Express Bus	
AC Transit	\$5,528,407
County Connection	\$74,253
Golden Gate Transit	\$1,923,398
LAVTA	\$486,187
Napa Vine	\$262,159
SolTrans	\$1,840,625
Tri Delta Transit	\$239,613
WestCAT	\$1,145,359
Regional Express Bus Subtotal	\$11,500,000
Transbay Terminal	
TJPA (FY2022-23 Operating Assistance)	\$2,700,000
TJPA (FY2019-20 through FY2021-22 Operating Assistance)	\$4,776,650
FY2022-23 Operating Program Total	\$18,976,650

RM3 Capital Program Update

RM3 Capital Expenditure Plan Overview

Capital Program	Amount (in \$Millions)
Regional Programs	\$1,550
Central (San Francisco-Oakland Bay Bridge)	\$780
South (San Mateo-Hayward, Dumbarton)	\$985
North (Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch)	\$1,135
Capital Program Total	\$4,450

RM3 Capital Allocation and Reimbursement “Guardrails”

The RM3 Policies & Procedures include protections and discretion for MTC in reviewing and approving capital allocation requests, including:

- Staff review of allocation requests against RM3 statute and P&Ps
- Project sponsor resolution of compliance with RM3 statute and P&Ps
- Allocation on reimbursable basis, requiring invoicing of eligible costs incurred after allocation approval
- List of allocation principles to be considered in allocation decisions
- Timely use of funds, including allocation expiration date based on project cash flow plan

RM3 Capital Allocation Request Timeline

- June 2023 Programming and Allocations Committee & Commission: Allocations were considered for projects with Letters of No Prejudice (LONPs) that had begun expending funds or expected to by the end of FY23; with limited flexibility for other projects with immediate expenditure expectations
- July 2023 PAC/Commission: Allocations were considered for any other projects ready for RM3 funds, subject to RM3 P&Ps and guardrails discussed on earlier slides
- Subsequent months: Continue to consider allocations as requested by sponsors
- RM3 P&Ps require sponsors to submit materials 60 days prior to requested committee date.

Questions?

Staff Contacts

RM3 Capital Program

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RM3 Operating Program

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**METROPOLITAN
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Metropolitan Transportation Commission

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Legislation Details (With Text)

File #: 24-0343 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 2/26/2024 **In control:** Regional Measure 3 (RM3) Independent Oversight Committee

On agenda: 3/4/2024 **Final action:**

Title: Background on Regional Measure 3 & Expenditures to Date
Brief history of RM3 and overview of first MTC Annual Report to the Legislature

Sponsors:

Indexes:

Code sections:

Attachments: [5b.Background on Regional Measure 3 & Expenditures to Date](#)
[5bi Attachment A RM3 Annual Report](#)
[5bii RM3 Capital Expenditure Plan Tracker](#)
[5biii Commission Allocation](#)

Date	Ver.	Action By	Action	Result
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Subject:
Background on Regional Measure 3 & Expenditures to Date
Brief history of RM3 and overview of first MTC Annual Report to the Legislature

Presenter:
Craig Bosman, MTC and Derek Hansel, MTC

Recommended Action:
Information

Attachments:

Regional Measure 3 Independent Oversight Committee

March 4, 2024

Agenda Item 5b

Background on Regional Measure 3 and Expenditures to Date

Subject:

Brief history of Regional Measure 3 (RM3) and overview of 2023 MTC Annual Report to the Legislature.

Background:

The attached 2023 RM3 Annual Report to the Legislature, submitted in December 2023, contains updates on the following:

- Toll Implementation
- Resolution of Litigation
- Revenue Collection and Escrow
- Independent Oversight Committee
- Update of Policies and Procedures
- Letters of No Prejudice (LONPs)
- Allocations and Expenditures to Date

Today's committee item includes updates to revenue collection and escrow and allocations and expenditures to date.

Revenue Collection and Escrow

Through December 31, 2023, RM3 has generated \$760,014,125. For the second quarter of this fiscal year—October 1 through December 31, 2023, RM3 generated \$51,487,668. Additionally, SHC Section 30914.7(c) provides that, to the extent that funds made available for the ferry component of the RM3 operating program are not requested for expenditure by the San Francisco Bay Area Water Emergency Transportation Authority (“WETA”) in a given year, the funds will be held in a reserve account, until such time that WETA requests these funds for an operating or capital purpose. As of December 31, 2023, the WETA Operating Reserve amount was approximately is \$70 million.

Allocations and Expenditures to Date

The 2023 Annual Report noted allocations and expenditures through November 2023. In the time between the submission of that report and the drafting of this memo, the Commission has approved

further capital allocations in December 2023, January 2024, and February 2024. Additional operating allocations were made in January and February 2024.

While the RM3 operating program tends to be allocated across limited actions per fiscal year, capital allocations are made on a rolling basis. Attachment B, Capital Allocations and Expenditures, provides an overview of the capital allocations made to date. Each listed RM3 project receives its own MTC allocating resolution, and some sub-projects also receive their own allocating resolution. To date, staff tends to propose all capital allocations for a given month as one item to the MTC Programming and Allocations Committee, which considers such items before referring to the Commission for approval. Attachment C, Index of Commission Allocation Actions, breaks down the Commission meetings featuring RM3 allocations by month, and includes links to where the staff reports and allocating resolutions can be viewed.

As of February 2024, the RM3 capital program has made a total of \$911.4 million in allocations, and \$93.8 million has been reimbursed to project sponsors. The RM3 operating program has made a total of \$30.7 million in allocations and has disbursed \$24.8 million to project sponsors.

Issues:

None.

Recommendation:

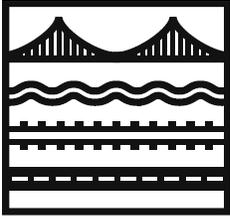
Information only.

Attachments:

- Attachment A: RM3 Annual Report to the Legislature 2023
- Attachment B: Capital Allocations and Expenditures
- Attachment C: Index of Commission Allocation Actions



Alix Bockelman



Regional Measure 3

Annual Report to the Legislature

2023

This report is the 2023 Regional Measure 3 (“RM 3”) Annual Report to the Legislature on the status of projects and programs funded by the RM 3 bridge toll increase authorized by the Legislature by Senate Bill 595 (Beall, 2017) and approved by the voters in June 2018. This report is submitted pursuant to Streets and Highways Code (“SHC”), Section 30923(i). The report consists of the following sections:

1. Toll Implementation
2. Resolution of Litigation
3. Revenue Collection and Escrow
4. Independent Oversight Committee
5. Update of Policies and Procedures
6. Letters of No Prejudice (LONPs)
7. Allocations and Expenditures to Date

1. Toll Implementation

BATA adopted the toll schedule incorporating the three-dollar RM 3 phased-in toll increase for state-owned toll bridges in the Bay Area on December 19, 2018, pursuant to SHC Section 30916(c)(1). The first dollar increase became effective January 1, 2019 and the second dollar increase became effective January 1, 2022 (Attachment A, BATA Resolution No. 128). The third dollar increase will become effective January 1, 2025. The toll schedule also incorporates the FasTrak[®] Electronic Toll Collection RM 3 Toll Discount for vehicles crossing more than one bridge on the same calendar day during commute hours and updates the high-occupancy vehicles rates to incorporate RM 3 increases.

2. Resolution of Litigation

Litigation challenging RM 3 was resolved in January 2023. BATA subsequently released the toll funds held in escrow and terminated the escrow agreement in March 2023.

3. Revenue Collection and Escrow

After the litigation was resolved in favor of the regional measure, BATA Resolution No. 170 (Attachment B) was adopted to terminate the RM 3 escrow arrangements, releasing and transferring the funds to regular BATA toll accounts in March 2023. Through September 30, 2023, RM 3 has generated \$708,526,456.50, including interest earnings. For the first quarter of this fiscal year—July 1 through September 30, 2023, RM 3 generated \$55,368,264. Additionally, SHC Section 30914.7(c) provides that, to the extent that funds made available for the ferry component of the RM 3 operating program are not requested for expenditure by the San Francisco Bay Area Water Emergency Transportation Authority (“WETA”) in a given year, the funds will be held in a reserve account, until such time that WETA requests these funds for an operating or capital purpose. As of November 2023, the WETA Operating Reserve amount is \$68 million.

4. Independent Oversight Committee Formation and Membership

BATA established the RM 3 Independent Oversight Committee on June 26, 2019, pursuant to SHC Section 30923(h). ([Attachment C, BATA Resolution No. 131, Revised](#)). As of November 2023, BATA has received two RM 3 Independent Oversight Committee appointees each from Alameda, Marin, Napa, San Mateo, Solano and Sonoma counties, and one appointee from San Francisco City and County. These appointees are listed in Attachment A to the resolution and can be found on our website at this [link](#). Updates to the RM 3 Oversight Committee Membership were referred to the Authority for approval in November 2023. As appointments are received for the remaining roster spots (two each from Contra Costa and Santa Clara counties, and one from San Francisco County), BATA Resolution No.131 will be further updated. Due to the lengthy litigation, the committee has not yet convened a meeting. With RM 3 operating program allocations having commenced in May 2023 and capital allocations

in June 2023, the Independent Oversight Committee is expected to convene in early 2024 to begin its mandate to annually review the expenditure of RM 3 funds and to prepare and submit a report to the Legislature summarizing its findings.

5. Update of Policies and Procedures

MTC first approved the RM 3 Policies and Procedures on December 18, 2019, with guidance to project sponsors requesting funding from the RM 3 capital program (Attachment D, MTC Resolution No. 4404). Resolution No. 4404 was subsequently revised in May 2023 and in October 2023 to introduce guidance to project sponsors seeking funding from the RM 3 Operating Program, including identification of eligible activities; instructions for requesting allocations and disbursements of funds; and detail on performance measures. Further updates are expected in 2024 to provide more guidance to project sponsors about compliance with regional policies.

6. Letters of No Prejudice

The adopted RM 3 Policies and Procedures included an option for MTC to approve Letters of No Prejudice (LONPs) to allow project sponsors to move projects forward with alternate funds, at-risk, while maintaining RM 3 eligibility if and when RM 3 funds became available. On March 25, 2020, MTC approved Resolution No. 4412, which enables MTC to issue LONPs for RM 3 projects. LONPs are issued at the request of project sponsors and specify the amount and scope for which RM 3 eligibility will be preserved and the alternate funding source to be used in place of RM 3 funds. The first LONP was approved in March 2020. As of November 2023, a total of 21 LONPs have been issued. See Attachment E for Resolution 4412 which contains a description of every project with an LONP.

7. Allocations and Expenditures to Date

In May 2023, the Commission directed staff to begin collecting RM 3 allocation requests, starting with projects that have LONPs and have begun expending funds. The first allocations were made in June 2023. As of November 2023, the RM 3 Capital

Program has made \$853.5 million in allocations, and almost \$80 million has been spent by project sponsors. A summary of the capital allocations made to date is included as Attachment F, RM 3 Capital Expenditure Plan.

In line with the schedule for capital allocations, the first RM 3 Operating Program allocations for fiscal year 2022-23 were made in May 2023, with another round of RM 3 Operating Program allocations made in June 2023. As of November 2023, the RM 3 Operating Program has made a total of \$18.8 million in allocations and has disbursed \$18.8 million to sponsors. A summary of the operating services funded by RM 3 is included as MTC Resolution 4579 (Attachment G). Table 1 below summarizes both allocations and expenditures for RM 3 Capital and Operating Programs.

Table 1. Summary of Allocations & Expenditures for RM 3 Capital & Operating Programs

<i>RM 3 Program</i>	Allocations as of November 2023	Expenditures as of November 2023
	(in millions)	(in millions)
<i>Capital</i>	\$853.5	\$76.9
<i>Operating</i>	\$18.9	\$18.9
<i>TOTAL</i>	\$872.6	\$95.8

For December 2023, there is a programmed public hearing for MTC Programming and Allocations Committee to propose amendments to the RM 3 Capital Program, involving RM 3 projects 2, 20, 21 and 23 (see Attachment F: RM 3 Capital Expenditure Plan). Proposed changes include minor adjustments to the scope, sponsor and/or funding for the projects listed above. No changes to the RM3 Capital Expenditure Plan have been made to date. If any changes are made, they will be communicated to the Legislature.

Attachments

- A. BATA Resolution No. 128 (Toll schedule for the state-owned toll bridges in the Bay Area)
- B. BATA Resolution No. 170 (Termination of Escrow Arrangements for Regional Measure 3 (RM 3) Bridge Toll Revenues)
- C. BATA Resolution No. 131, Revised (RM 3 Independent Oversight Committee establishment and membership)
- D. MTC Resolution No. 4404, Revised (RM 3 Policies and Procedures)
- E. MTC Resolution No. 4412, Revised (RM 3 Letters of No Prejudice)
- F. RM 3 Capital Expenditure Plan
- G. MTC Resolution No. 4579 (RM 3 Operating Funding)

[Click this link to view annual report attachments A-G](#)

Regional Measure 3 Capital Expenditure Plan (through February 2024)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/ Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Reimbursed through February 2024	Allocating Resolution	Most Recent Allocation Date ⁴
1	BART Expansion Cars	\$ 500	BART					
2	Bay Area Corridor Express Lanes	\$ 300	MTC					
2.1	<i>I-80 Express Lanes in Solano County</i>		STA	\$ 70.4	\$ 70.4	\$ 29.5	4591	6/26/2023
2.2	<i>I-80 Express Lanes in Solano County (Toll System)</i>	\$ 85	BAIFA	\$ 31.3	\$ 14.6		4592	6/26/2023
2.3	<i>I-680 Southbound Express Lanes in Alameda County</i>	\$ 80	ACTC	\$ 80.0	\$ 80.0		4597	7/26/2023
2.4	<i>US 101 Express Lanes: I-380 to Santa Clara County Line</i>	\$ 75	SMCTA					
2.X	<i>Reserve</i>	\$ 60	ACTC					
3	Goods Movement and Mitigation	\$ 160	MTC/ACTC					
3.1	<i>GoPort 7th St Grade Separation East</i>	\$ 55	ACTC	\$ 55.0	\$ 55.0		4598	7/26/2023
3.2	<i>Railroad Safety Enhancement Program</i>	\$ 25	ACTC					
3.3	<i>Neighborhood and Railroad Safety Improvements Near the Port of Oakland</i>	\$ 55	City of Oakland					
3.X	<i>Remaining GoPort projects</i>	\$ 25						
4	San Francisco Bay Trail / Safe Routes to Transit	\$ 150	MTC					
5	Ferry Enhancement Program	\$ 300	WETA					
5.1	<i>Mission Bay Ferry Landing</i>	\$ 25	WETA	\$ 25.0	\$ 0.7		4614	11/15/2023
6	BART to San Jose Phase 2	\$ 375	VTA					
7	Sonoma-Marín Area Rail Transit (SMART)	\$ 40	SMART	\$ 5.0				
8	Capitol Corridor	\$ 90	CCJPA					
9	Caltrain Downtown Extension	\$ 325	TJPA		\$ 100.7		4612	11/15/2023
10	Muni Fleet Expansion & Facilities	\$ 140	SFMTA					
10.1	<i>Potrero Modernization Project</i>		SFMTA		\$ 3.5		4615	12/20/2023
10.2	<i>Light Rail Vehicle (LRV) Procurement</i>		SFMTA		\$ 6.5		4615	1/24/2023
10.3	<i>40'/60' hybrid buses</i>		SFMTA		\$ 27.0		4615	1/24/2023
10.4	<i>Kirkland Electrification</i>		SFMTA		\$ 3.8		4615	2/28/2024
10.5	<i>Battery Electric Bus procurement</i>		SFMTA		\$ 2.38		4615	2/28/2024
11	Core Capacity Transit Improvements	\$ 140	MTC/ACTC/AC Transit					
12	AC Transit Rapid Bus Corridor Improvements	\$ 100	AC Transit/ACTC					
12.1	<i>Telegraph Rapid</i>		AC Transit		\$ 2.7		4613	11/15/2023
12.2	<i>Quick Build Transit Priority Projects</i>		AC Transit		\$ 1.5		4613	12/20/2023
13	Transbay Rail Crossing	\$ 50	BART					
14	Tri-Valley Transit Access Improvements	\$ 100	MTC /td					
15	Eastridge to BART Regional Connector	\$ 130	VTA		\$ 130.0		4596	7/26/2023

Regional Measure 3 Capital Expenditure Plan (through February 2024)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/ Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Reimbursed through February 2024	Allocating Resolution	Most Recent Allocation Date ⁴
16	San Jose Diridon Station	\$ 100	VTA	\$ 30.0	\$ 30.0		4608	10/25/2023
17	Dumbarton Corridor Improvements	\$ 130	BATA/ACTC/ SMCTD/SMCTA					
18	Highway 101/ State Route 92 Interchange	\$ 50	C/CAG/ SMCTA					
18.1	101/92 Area Improvements Project		SMCTA	\$ 0.025				
18.2	101/92 Direct Connector Project		SMCTA	\$ 2.0	\$ 2.0		4599	7/26/2023
19	Contra Costa I-680/SR-4 Interchange Improvements	\$ 210	CCTA					
19.1	I-680/SR-4 Interchange Improvement Phase 1 and 2A	\$ 8	CCTA	\$ 8.0	\$ 13.0		4586	6/26/2023
20	Highway 101-Marin/Sonoma Narrows	\$ 120	TAM/SCTA					
20.1	Marin Segment	\$ 88	TAM	\$ 88.0	\$ 88.0	\$ 20.7	4593	6/26/2023
21	Solano County I-80/I-680/SR-12 Interchange Project	\$ 150	STA	\$ 18.6				
21.1	Solano County I-80/I-680/SR-12 Interchange Project (Package 2)		STA		\$ 3.7		4594	12/20/2023
21.2	Solano County I-80/I-680/SR-12 Interchange Project (Package 5)		STA		\$ 10.0		4594	12/20/2023
22	Interstate 80 Westbound Truck Scales	\$ 105	STA	\$ 5.3	\$ 30.7		4595	6/26/2023
23	State Route 37 Improvements	\$ 100	TAM/NVTA/STA/SCTA					
23.1	SR 37 and Fairgrounds Drive Interchange	\$ 15	STA		\$ 15.0		4602	7/26/2023
23.2	Interim Segment B - PAED & PS&E	\$ 20	SCTA	\$ -	\$ 6.0		4607	10/25/2023
23.3	Hwy 37/121 Improvements - PAED	\$ 4	SCTA					
23.4	Segments A1 & A2 Levee Study	3	TAM					
23.5	Segment A & B Improvements	\$ 58	SCTA/TAM					
24	San Rafael Transit Center	\$ 30	GGBHTD					
25	Richmond-San Rafael Bridge Access Improvements	\$ 210	BATA/CCTA/TAM					
25.1	US-101/I-580 Direct Connector	\$ 135	TAM	\$ 5.6	\$ 7.8		4606	10/25/2023
25.2	I-580 Richmond Parkway Interchange Operational Improvements	\$ 7	BATA/CCTA		\$ 0.95		4631	2/28/2024
25.3	Cutting Boulevard Transit Improvements	\$ 3	BATA		\$ 0.45		4632	2/28/2024
26	North Bay Transit Improvements	\$ 100	MTC					
26.1	Vine Transit Maintenance Facility	\$ 20	NVTA	\$ 20.0	\$ 20.0	\$ 20.0	4584	6/26/2023
26.2	Solano Rail Hub	\$ 2	STA		\$ 2.0		4584	7/26/2023
26.3	County Connection Bus Replacements	\$ 5	CCCTA		\$ 5.0	\$ 5.0	4584	9/27/2023

Regional Measure 3 Capital Expenditure Plan (through February 2024)

Project No.	Project Title ^{1,2}	Funding Amount (\$M)	Project Sponsor/Implementing Agency ^{1,2}	LONP Issued ³ (\$M)	Allocated Amount ⁴ (\$M)	Reimbursed through February 2024	Allocating Resolution	Most Recent Allocation Date ⁴
26.X	<i>Solano Projects TBD</i>	\$ 18	STA					
26.X	<i>Contra Costa Projects TBD</i>	\$ 15	CCTA					
26.X	<i>Sonoma Projects TBD</i>	\$ 20	SCTA					
26.X	<i>Marin Projects TBD</i>	\$ 20	TAM					
27	State Route 29	\$ 20	NVTA	\$ 20.0	\$ 20.0	\$ 11.2	4583	6/26/2023
28	Next-Generation Clipper Transit Fare Payment System	\$ 50	MTC	\$ 30.0	\$ 50.0		4609	11/15/2023
29	I-680/I-880/Route 262 Freeway Connector	\$ 15	ACTC	\$ 10.0	\$ 10.0		4601	7/26/2023
30	I-680/SR 84 Interchange Reconstruction Project	\$ 85	ACTC	\$ 85.0	\$ 85.0		4600	7/26/2023
31	I-80 Transit Improvements	\$ 25	CCTA					
32	Byron Highway Vasco Road Airport Connector	\$ 10	CCTA					
33	Vasco Road Safety Improvements	\$ 15	CCTA					
34	East Contra Costa County Transit Intermodal Center	\$ 15	CCTA					
34.1	<i>Mokelumne Trail Bicycle/Pedestrian Overcrossing of SR-4</i>	\$ 13	CCTA	\$ 13.0	\$ 13.0	\$ 7.4	4585	6/26/2023
35	I-680 Transit Improvements	\$ 10	CCTA					
35.1	<i>Martinez Amtrak & Walnut Creek BART Shared Mobility Hubs</i>							
Total		\$ 4,450		\$ 602.1	\$ 911.4	\$ 93.8		

Notes

- For full legislated project description and project sponsor language, please refer to California Streets and Highways Code Section 30914.7, https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=SHC§ionNum=30914.7.
- Sub-projects are indicated with shading. Sub-project designation has been made under MTC Res. No. 4411 for MTC/BATA/BAIFA sponsored programmatic categories, and/or under MTC Res. No. 4412 for LONPs, and/or in allocating resolutions. Project 23 subprojects are as agreed upon by SR 37 Policy Committee, which includes representatives from the four project sponsor county transportation authorities.
- LONPs have been issued under MTC Res. No. 4412
- Inclusive of current month requests, which are indicated in **bold font**.

Regional Measure 3 Independent Oversight Committee

March 4, 2024

Agenda Item 5b Attachment C

Background on Regional Measure 3 and Expenditures to Date

Index of Commission Allocation Actions

Operating Program

Commission Allocation Actions

May 2023 (RM3 Total: \$17,914,439):

MTC Resolution Nos. 4404, Revised, 4579, and 4580. Regional Measure 3 (RM3) Policies and Procedures Revisions Revision to RM3 Policies and Procedures (P&Ps) to introduce guidance for the RM3 Operating Program and revise guidance for the capital program and allocation of FY2022-23 RM3 Operating Program funds.

<https://mtc.legistar.com/gateway.aspx?M=F&ID=785c630d-d483-4a34-a391-647d88d7f7f7.pdf>

December 2023 (RM3 Total: \$8,700,450):

MTC Resolution Nos. 4571, Revised, 4624, and 4626. Allocation of \$13.3 million in FY2023-24 State Transit Assistance (STA), Five Percent Unrestricted State Fund Revenue, and Regional Measure 3 funds to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) and MTC to support transit operations and capital projects in the region.

<https://mtc.legistar.com/LegislationDetail.aspx?ID=6447337&GUID=352F555B-3BDA-4C84-B99D-0D2A38C75A6C>

January 2024 (RM3 Total \$2,990,080):

MTC Resolution Nos. 4570, 4571 and 4626 Revised. FY2023-24 Transit Development Act (TDA), State Transit Assistance (STA) and Regional Measure 3 (RM3) Allocations to the City of Fairfield (FAST), the Transbay Joint Powers Authority (TJPA), and Metropolitan Transportation Commission (MTC).

<https://mtc.legistar.com/LegislationDetail.aspx?ID=6466918&GUID=693ED1C2-6DF0-44CA-B369-C25DE78E26B3>

Delegated Authority Actions

July 2023 (RM3 Total: \$1,062,212):

MTC Resolution No. 3620, Revised, adopted by the Commission in March 2004, allows the Executive Director to make administrative allocations of local funds (including RM3) up to \$1 million. In July 2023, the Executive Director approved four such allocations.

Capital Program

Commission Allocation Actions

June 2023:

MTC Resolution Nos. 4583, 4584, 4585, 4586, 4591, 4592, 4593, 4594, and 4595. Allocation of \$271.6 million in Regional Measure 3 (RM3) capital funds to STA, BAIFA, CCTA, TAM, and NVTA. Recommended allocation of a total \$271.6 million in RM3 capital funds to I-80 Express Lanes in Solano County (STA); I-80 Express Lanes in Solano County - Toll Systems (BAIFA); I-680/SR-4 Interchange Improvements (CCTA); US-101 Marin-Sonoma Narrows (TAM); I-80/I-680/SR-12 Interchange (STA); I-80 Westbound Truck Scales (STA); Vine Transit Maintenance Facility (NVTA); SR-29 Soscol Junction (NVTA); and Mokelumne Trail Bike/Ped Overcrossing (CCTA).

<https://mtc.legistar.com/gateway.aspx?M=F&ID=050475c6-d5bd-470a-bb0d-9c0d503c6954.pdf>

July 2023:

MTC Resolution Nos. 4584, Revised, and 4596-4602. Allocation of \$379 million in Regional Measure 3 (RM3) capital funds to ACTC, SMCTA, STA, and VTA. Recommended allocation of a total \$379 million in RM3 capital funds to Alameda County Transportation Commission (Bay Area Corridor Express Lanes: I-680 Southbound Express Lane from State Route (SR) 84 to Alcosta Blvd.; Goods Movement and Mitigation: 7th Street Grade Separation East; Interstate 680/ Interstate 880/ Route 262 Freeway Connector; Interstate 680/ State Route 84 Interchange

Reconstruction Project), San Mateo County Transportation Authority (Highway 101/ State Route 92 Interchange: 101/92 Direct Connector Project), Solano Transportation Authority (North Bay Transit Access Improvements: Solano Rail Hub; State Route 37 Improvements: State Route 37 and Fairgrounds Drive Interchange), and Santa Clara Valley Transportation Authority (Eastridge to BART Regional Connector).

<https://mtc.legistar.com/gateway.aspx?M=F&ID=b7309176-d2a4-46c7-a1d7-44452ca13c81.pdf>

September 2023:

MTC Resolution No. 4584, Revised. Allocation of \$5 million in Regional Measure 3 (RM3) capital funds to Central Contra Costa Transit Authority (CCCTA)

<https://mtc.legistar.com/gateway.aspx?M=F&ID=ede2040d-a5cd-4e26-8cde-05da6499640f.pdf>

October 2023:

MTC Resolution Nos. 4606, 4607 and 4608. Allocation of \$43.8 million in Regional Measure 3 (RM3) capital funds to Sonoma County Transportation Authority (SCTA), Transportation Authority of Marin (TAM), and Santa Clara Valley Transportation Authority (VTA).

Recommended allocation of a total \$43.8 million in RM3 capital funds to Sonoma County Transportation Authority and Metropolitan Transportation Commission (SR 37 Sears Point to Mare Island Improvement Project), Transportation Authority of Marin (Richmond-San Rafael Bridge Access Improvements: U.S. 101/ I-580 Multi-modal and Local Access Improvement Project), Santa Clara Valley Transportation Authority (San Jose Diridon Station Project).

<https://mtc.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=26254>

November 2023

MTC Resolution Nos. 4609, 4612, 4613, and 4614. Allocation of \$154.1 million in Regional Measure 3 (RM3) capital funds to the Metropolitan Transportation Commission (MTC), the Transbay Joint Powers Authority (TJPA), the Alameda-Contra Costa Transit District (AC Transit) and the Water Emergency Transportation Authority (WETA). Recommended allocation of a total \$154.1 million in RM3 capital funds to the Metropolitan Transportation Commission (Clipper 2.0), the Transbay Joint Powers Authority (Downtown Rail Extension Project “The

Portal”), the Alameda-Contra Costa Transit District (AC Transit Rapid Bus Improvements: Telegraph Rapid Corridor Project) and the Water Emergency Transportation Authority (Ferry Expansion Program: Mission Bay Landing).

<https://mtc.legistar.com/LegislationDetail.aspx?ID=6402989&GUID=51B2AE85-C870-461C-B47D-4AD8462C394B>

December 2023

MTC Resolution Nos. 4594, Revised; 4613, Revised; and 4615. Allocation of \$16.8 million in Regional Measure 3 (RM3) capital funds to Solano Transportation Authority (STA), Alameda-Contra Costa Transit District (AC Transit), and San Francisco Municipal Transportation Agency (SFMTA)

<https://mtc.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=26515>

January 2024

MTC Resolution Nos. 4615 and 4585, Revised. Allocation of \$34.5 million in Regional Measure 3 (RM3) capital funds to San Francisco Municipal Transportation Agency (SFMTA) and Contra Costa Transportation Authority (CCTA).

<https://mtc.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=26676>

February 2024

MTC Resolution Nos. 4615, Revised, 4631, and 4632. Allocation of \$7.6 million in Regional Measure 3 capital funds to San Francisco Municipal Transportation Agency and Bay Area Toll Authority.

<https://mtc.legistar.com/gateway.aspx?m=l&id=/matter.aspx?key=26739>