

**Metropolitan Transportation Commission
Programming and Allocations Committee**

December 13, 2017

Agenda Item 3a

MTC Resolution No. 4279, Revised, and 4285, Revised

Subject: Allocation of \$5 million in FY2017-18 RM2 Operating funds to Clipper® and the Transbay Joint Powers Authority; Allocation of \$22 million in FY2017-18 State Transit Assistance (STA) funds to BART and Solano Transportation Authority to support transit planning and operations; and programming of approximately \$0.6 million in STA Transit Emergency Service Contingency funds to transit operators affected by the North Bay fires.

Background: This month's proposed action continues the annual allocation process of RM2 Operating and STA funds for FY2017-18.

In July 2017, the RM2 Operating Program (MTC Resolution, 4278, Revised) was revised to add \$2 million for Clipper and \$3 million for the operation of the Transbay Transit Center. These funds are now proposed to be allocated.

The requests of BART and the Solano Transportation Authority for STA funds are consistent with the adopted MTC Fund Estimate (Resolution 4268, Revised). This action recommends allocation of \$20.6 million to BART while an additional \$800,000 will be approved through the Executive Director's Delegated Authority process since the amount from other apportionment areas in the Fund Estimate falls under the \$1 million threshold. These STA funds represents about 3% of BART's \$743 million operating budget. BART's budget is increasing 7.4% compared to last fiscal year; the budget includes funds for a full year of operating the Warm Springs extension, as well as funds to open the San Jose Berryessa and e-BART extensions late in 2018. Operating hours are expected to increase 3.2%.

Solano Transportation Authority requests allocation of \$1.5 million in STA population-based Northern County funds. Most of these funds will be used to support planning and implementation of modified Express Bus service for the county which is expected to start next fiscal year. Funds will also be used for other transit projects including the Mobility Call Center and Water Transportation Study. An additional \$923,000 will be allocated by Delegated Authority in support of transit capital and paratransit operations.

Transit Operator Assistance for North Bay Fire Response & Recovery
To help the region's North Bay transit operators in the aftermath of October's Napa and Sonoma wildfire disaster, staff recommends setting aside approximately \$0.6 million from the Transit Emergency Service

Contingency Fund to provide relief for expenses incurred during operators' response and recovery efforts. Staff recommends allocating these funds through Executive Director Delegated Authority this month. The Transit Emergency Service Contingency Fund was started two years ago using STA population-based funds, and is intended to be made available to help defray transit costs incurred during or after Bay Area disasters/incidents such as fires, earthquakes, strikes or other similar hardships.

North Bay transit operators played an essential role in evacuation efforts, shuttle service provision, and free service during and after the fires. Expenses that operators incurred include loss of fare revenue, direct operational costs, indirect expense related to lost service hours, and a small amount of capital expense resulting from damage to transit vehicles and other assets. Below is a tally of expenses by transit operator.

Transit Operator	Total Emergency Service Expense
Golden Gate Transit	\$48,307
NVTA	\$65,406
Petaluma Transit	\$4,703
Santa Rosa City Bus	\$67,742
SMART	\$273,821
Sonoma County Transit	\$127,581
Total	\$587,559

Pursuant to provisions contained in MTC Resolution No. 4171—the guidelines for the Transit Emergency Service Contingency Fund—it is expected that claimants will seek reimbursement from third parties including insurance carriers and other governmental sources, and will return equivalent amounts of contingency funds to MTC upon the receipt of payment from another source. Staff will work to follow up with transit operators and federal representatives on other reimbursement options.

Issues: None

Recommendation: Refer MTC Resolution Nos. 4279, Revised and 4285, Revised to the Commission for approval.

Attachments: MTC Resolution Nos. 4279, Revised and 4285, Revised

Date: June 28, 2017
W.I.: 1514
Referred by: PAC
Revised: 07/26/17-C
09/27/17-C
12/20/17-C

ABSTRACT

Resolution No. 4285, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2017-18.

This resolution allocates funds to County Connection (CCCTA), Tri Delta Transit (ECCTA), and MTC.

This resolution was revised on July 26, 2017 to allocate funds to San Francisco Municipal Transportation Agency (SFMTA), Santa Clara Valley Transportation Authority (VTA), and WestCAT (WCCTA).

This resolution was revised on September 27, 2017 to allocate funds to AC Transit, and Golden Gate Bridge, Highway and Transit District (GGBHTD).

This resolution was revised December 20, 2017 to allocate funds to San Francisco Bay Area Rapid Transit District (BART) and Solano Transportation Authority.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 14, 2017, July 12, 2017, September 13, 2017, and December 13, 2017.

Date: June 28, 2017
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2017-18 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4285

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

WHEREAS, the Mills-Alquist-Deddeh Act (“Transportation Development Act” or “TDA”), Public Utilities Code Section 99200 *et seq.*, provides that the State Controller shall, pursuant to Public Utilities Code Section 99310, allocate funds in the Public Transportation Account (“PTA”) to the MTC region to be subsequently allocated by MTC to eligible claimants in the region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6, MTC has created a State Transit Assistance (“STA”) fund which resides with the Alameda County Auditor for the deposit of PTA funds allocated to the MTC region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6(d), MTC may allocate funds to itself for projects to achieve regional transit coordination objectives; and

WHEREAS, pursuant to Public Utilities Code Sections 99314.5(a) and 99314.5(b), claimants eligible for Transportation Development Act Article 4 and Article 8 funds are eligible claimants for State Transit Assistance funds; and

WHEREAS, eligible claimants have submitted applications to MTC for the allocation of fiscal year 2017-18 STA funds; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the amounts of and purposes for the fiscal year 2017-18 allocations requested by claimants, and is from time-to-time revised; and

WHEREAS, this resolution, including the revisions to Attachment A and the sum of all allocations made under this resolution, are recorded and maintained electronically by MTC; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6754, MTC Resolution Nos. 3837 and 4249, and Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required findings MTC must make, as the case may be, pertaining to the various claimants to which funds are allocated; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); and

WHEREAS, the California State Legislature is currently considering revisions to the TDA, which may change the administration of STA funds; now, therefore, be it

RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2017-18 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution;

RESOLVED, that, pursuant to 21 Cal. Code of Regs. §§ 6621 and 6753, a certified copy of this resolution, along with written allocation instructions for the disbursement of STA funds as allocated herein, shall be forwarded to the Alameda County Auditor; and, be it further

RESOLVED, that all STA allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan; and, be it further

RESOLVED, this resolution incorporates any revisions to the TDA, either by statute or regulation, made hereafter.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on June 28, 2017.

Date: June 28, 2017
 Referred by: PAC
 Revised: 07/26/17-C 09/27/17-C
 12/20/17-C

Attachment A
 MTC Resolution No. 4285
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ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
 DURING FISCAL YEAR 2017-18

All STA allocations are subject to continued compliance with MTC Resolution 3866, Revised,
 the Transit Coordination Implementation Plan.

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area
5820 - 6730A Operating Costs - Population-based Small Operator/Northern Counties					
CCCTA	Transit Operations	1,612,760	01	06/28/17	CCCTA
ECCTA	Transit Operations	1,069,516	02	06/28/17	ECCTA
		Subtotal			
		2,682,276			
5820 - 6730A Operating Costs - Revenue-based					
ECCTA	Transit Operations	2,624,596	03	06/28/17	BART
WCCTA	Transit Operations	2,353,641	07	07/26/17	BART
SFMTA	Transit Operations	31,943,432	05	07/26/17	SFMTA
VTA	Transit Operations	10,093,131	06	07/26/17	VTA
AC Transit	Transit Operations	7,633,993	08	09/27/17	AC Transit
GGBHTD	Transit Operations	3,775,956	09	09/27/17	GGBHTD
BART	Transit Operations	20,584,637	10	12/20/17	BART
		Subtotal			
		79,009,386			
5820 - 6730A Operating Costs - Population-based MTC Regional Coordination					
MTC	Clipper Operations	11,080,700	04	06/28/17	MTC
		Subtotal			
		11,080,700			
5828 - 6731B Planning and Admin - Population-based Small Operator/Northern Counties					
Solano TA	Planning and Admin	1,561,488	11	12/20/17	Solano County
		Subtotal			
		1,561,488			
		TOTAL			
		94,333,850			

Date: June 28, 2017
Referred by: PAC

Attachment B
Resolution No. 4285
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ALLOCATION OF FISCAL YEAR 2017-18 STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which State Transit Assistance funds are allocated under this resolution.

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with PUC §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 8 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 Cal. Code of Regs. § 6651), and with the applicable state regulations (21 Cal. Code of Regs. § 6600 et seq.), and with the applicable MTC rules and regulations; and
3. That each claimant has submitted to MTC as part of its application for TDA Article 4 funds a budget indicating compliance with the 50% expenditure limitation of PUC § 99268, or with the applicable fare or fares-plus-local-support recovery ratio requirement (PUC §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5), or with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in PUC §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and
4. That each claimant is making full use of federal funds available under the Fixing America's Surface Transportation (FAST) Act, as amended; and
5. That the sum of each claimant's allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount the claimant is eligible to receive, in accordance with the calculations prescribed by 21 Cal. Code of Regs. § 6633.1 or § 6634; and

6. That MTC has given priority consideration to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or area wide public transportation needs; and
7. That each claimant has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC § 99244; and
8. That each claimant has submitted to MTC a copy of a certification from the California Highway Patrol verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (“Pull Notice Program”), as required by PUC § 99251; and
9. That each claimant is in compliance with the eligibility requirements of PUC §§ 99314.6 or 99314.7; and
10. That each claimant has certified that it has entered into a joint fare revenue sharing agreement with every connecting transit operator, and that it is in compliance with MTC’s Transit Coordination Implementation Plan, pursuant to Government Code §§ 66516 and 66516.5, PUC §§ 99314.5(c) and §99314.7, and MTC Resolution No. 3866, Revised.

Date: June 28, 2017
W.I.: 1255
Referred by: PAC
Revised: 07/26/17-C 09/27/17-C
12/20/17-C

ABSTRACT

Resolution No. 4279, Revised

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2017-18.

This resolution allocates funds to the Water Emergency Transportation Authority (WETA).

This resolution was revised on July 26, 2017 to allocate funds to San Francisco Municipal Transportation Agency (SFMTA),

This resolution was revised on September 27, 2017 to allocate funds to AC Transit and Golden Gate Bridge, Highway and Transit District (GGBHTD).

This resolution was revised on December 20, 2017 to allocate funds to MTC and the Transbay Joint Powers Authority.

Discussion of the allocations made under this resolution are contained in the MTC Programming and Allocations Committee Summary Sheets dated June 14, 2017, July 12, 2017, September 13, 2017, and December 13, 2017.

Date: June 28, 2017
W.I.: 1255
Referred by: PAC

Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2017-18

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4279

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

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

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and programs eligible for RM2 funding for transit operating and planning assistance as identified in Streets and Highways Code Section 30914(d).

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636, Revised); and

WHEREAS, MTC has reviewed the allocation requests submitted for RM2 transit operations and planning funds from the project sponsor(s) listed in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length funds; and

WHEREAS, project sponsors seeking RM2 funds are required to submit an Operating Assistance Proposal (OAP), pursuant to Streets and Highway Code Section 30914(e) to MTC for review and approval, which demonstrates a fully funded operating plan and consistency with the performance measures, as applicable; and

WHEREAS, Attachment A lists the projects requested by project sponsors for RM2 funding, project specific conditions, and amounts recommended for RM2 allocation by MTC staff; and

RESOLVED, that MTC approves staff's review of the OAP for the projects listed in Attachment A; and be it further

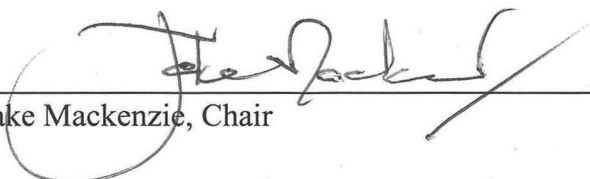
RESOLVED, that MTC approves the allocation of RM2 funds in accordance with Attachment A; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the project sponsor complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set for in length in MTC Resolution 3636, Revised; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment A; and, be it further

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

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California, on June 28, 2017.

Date: June 28, 2017
W.I.: 1255
Referred by: PAC
Revised: 07/26/17-C
09/27/17-C
12/20/17-C

Attachment A
MTC Resolution No. 4279
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FY 2017-18 ALLOCATION OF REGIONAL MEASURE 2 FUNDS
FOR TRANSIT OPERATIONS AND PLANNING

Funding for each route is limited to the amount identified in the FY2017-18 RM2 Operating Program (MTC Resolution 4278). All routes are required to meet performance standards identified in MTC's RM2 Policies and Procedures (MTC Resolution 3636) except for WETA's South San Francisco Ferry service which was given seven years (until FY 2018-19) to meet RM2 standards when MTC Res. 4228 was adopted on June 22, 2016.

Claimant	Project Description	Allocation Amount	Allocation Code	Approval Date	Project Number	Farebox Requirement
WETA	Planning and Administration	3,000,000	01	06/28/17	11	n.a.
WETA	Ferry Operations	16,500,000	02	06/28/17	6	40% Peak service, 30% All Day Service
SFMTA	Metro 3rd Street Extension	2,500,000	03	07/26/17	8	n.a.
AC Transit	Express Bus Service	5,427,904	04	09/27/17	4	30% Peak, 20% All Day
AC Transit	Dumbarton Bus	2,816,976	05	09/27/17	5	20% All Day
AC Transit	Owl Bus Service	1,333,623	06	09/27/17	7	10%
AC Transit	Enhanced/Rapid Bus Service	3,000,000	07	09/27/17	9	n.a.
GGBHTD	Route 40	2,130,612	08	09/27/17	1	20% All Day
MTC	Clipper	2,000,000	09	12/20/17	12	n.a.
TJPA	Transbay Transit Center	3,000,000	10	12/20/17	13	n.a.
Total		41,709,115				