

## Metropolitan Transportation Commission Programming and Allocations Committee

March 10, 2021

Agenda Item 4a - 21-0266

### MTC Resolution No. 4453, Revised - Programming of Second Phase of Funds from the Coronavirus Response and Relief Supplementary Appropriations Act of 2021

---

**Subject:** Proposed programming of approximately \$802 million of Coronavirus Response and Relief Appropriations Act of 2021 (CRRSAA) funding to Bay Area transit operators to provide funding relief as a result of the COVID-19 pandemic in 2021.

**Background:** Through CRRSAA, the Bay Area received approximately \$983 million in supplemental FTA Urbanized Area Formula (Section 5307) to support transit agency operations impacted by COVID-19. MTC is responsible for programming the region's FTA Section 5307 program funds. The funding is provided through three federally designated Urbanized Areas. The specific amounts to those urbanized areas are as follows:

- San Francisco-Oakland: \$822,676,366
- San Jose: \$144,159,107
- Santa Rosa: \$15,435,820

The CRRSAA funding is being distributed to Bay Area operators in two phases. The first phase was distributed to provide immediate relief to operators facing significant budget shortfalls in the current fiscal year and to satisfy the Commission directive to compensate operators that received less than their share of prior federal Covid-19 relief funding through the Coronavirus Aid, Relief and Economic Security (CARES) Act, due to inaccurate forecasts of revenue losses. This "true-up" of CARES Act funding required an initial distribution of \$180 million of the CRRSAA funding to achieve, leaving \$803 million in remaining funds to be distributed through Phase 2.

#### Funding Distribution Considerations

The proposed allocation of CRRSAA Phase 2 funding reflects several considerations listed below for how best to distribute funds among the region's 27 transit operators.

1. Prioritize needs based on revenue losses through the current fiscal year.
2. Account for the fact that many operators received significantly more funding through the CARES Act than their actual revenue losses, while recognizing that uncertainty remains for revenue losses going forward.
3. Distribute funding in a way that prioritizes the needs of those most transit dependent, with special attention paid to the pattern of ridership that has returned to different transit agencies to date, and how relief funding affects agencies' ability to respond to those demands.
4. Work within the federal urbanized area framework to develop a "needs-based" distribution to the extent possible and consider alternatives including funding exchanges and supplemental funding from other

sources to meet the needs of operators that are ineligible for CRRSAA funds due to urbanized area constraints.

**Proposed Distribution Methodology**

The methodology used to determine the proposed operator allocations of CRRSAA Phase 2 funding is below:

1. To determine operators needs through the end of Fiscal Year 2020-21 the average monthly revenue losses from March to December of 2020 was used as a basis for the ongoing loss amount from January to June 2021 (six months).
2. To adjust for allocations of CARES Act funding that went beyond compensating operators for revenue losses (excluding amounts distributed on the basis of the “equity adjustment”), remaining funds from CARES Act + CRRSAA Phase 1 were deducted for operators that received a larger CARES + CRRSAA Phase 1 allocation compared to actual losses in 2020 and their anticipated January to June 2021 losses.
3. In recognition of ongoing revenue uncertainty operators were allocated either the resulting adjusted need amount described in #2 or 5% of an operator’s Fiscal Year 2018-19 budget, whichever is greater.
4. The “need” was then scaled down to equal 75% of the funding available, or \$602 million.
5. To prioritize the needs of the transit dependent, especially during the on-going pandemic, the remaining 25% of funds, or \$200.7 million are distributed based on each agency’s percentage share of November 2020 ridership.

*Operators Ineligible for CRRSAA Funding*

Under the proposed distribution, the amount of funding that should be directed to operators that are not eligible for funding within the CRRSAA eligible urbanized areas is approximately \$9 million. Staff intends to apply a combination of FTA Section 5311 (rural area) funding, as well as targeted funding exchanges with CRRSAA eligible operators, through the Fiscal Year 2020- 2021 Transit Capital Priorities program, to satisfy the funding needs of the non-eligible operators.

Detail on the proposed distribution of CRRSAA Phase 2 is presented in Attachment A.

**Future Federal Covid-19 Relief for Public Transit**

If efforts in Washington to secure a third round of Covid-19 emergency relief are successful, the Bay Area stands to receive up to \$1.9 billion in supplemental relief funding for public transit through a mix of FTA formula funding for operations and capital, and capital investment grants.

In discussion with transit operators preceding the finalization of staff's proposed distribution of CRRSAA Phase 2 funding, some operators were concerned that the difficulty in fully recognizing that some operators received more CARES + CRRSAA funding than actual revenue losses due to Urbanized Area constraints surrounding the CRRSAA legislation, meant that some operators were provided a firmer footing than others going into Fiscal Year 2021-22.

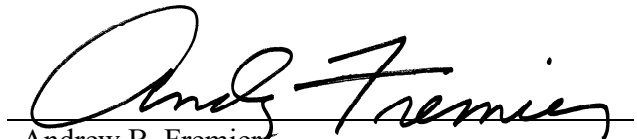
To alleviate this concern, staff intends to carry forward the need to account for balances of CARES + CRRSAA funding that exceed actual revenue losses (excluding amounts distributed based on ridership) to future rounds of federal Covid-19 relief funding. This forward looking "true-up" would be one of many factors to consider in the distribution of future federal Covid-19 relief funding. Other factors may include a continued acknowledgement of on-going revenue losses caused by the pandemic, funding needed to maintain labor forces as this is a clear intent of pandemic relief legislation, a continued focus on the transit dependent, and expenses related to adding back service for schools and on routes where demand already has, or will likely soon out-pace service provision. In addition, the distribution of future federal Covid-19 relief funding may be informed by recommendations arising from the Blue Ribbon Transit Recovery Task Force.

Resolution on near-term federal Covid-19 relief legislation is expected in the mid-March timeframe. Staff will return to this Committee or the Commission with next steps to be taken towards the distribution of funds once the legislation is firm.

**Issues:** None

**Recommendation:** Refer MTC Resolution No. 4453, Revised, to the Commission for approval

**Attachment:** Attachment A: CRRSAA Phase 2 Funding Distribution Summary  
MTC Resolution No. 4453, Revised

  
Andrew B. Fremier

## CRRSAA Phase 2 Funding Distribution Summary

Programming and Allocations Committee  
March 10, 2021Item 4a  
Attachment A  
Page 1 of 1

| Transit Operator                             | Actual/Anticipated Revenue Loss<br>March - December 2020 <sup>1</sup> | Estimated Revenue Loss<br>January - June 2021<br>Source: Monthly Average of<br>Actual/Anticipated Revenue Loss March<br>to December 2020 | Estimated Total Revenue Loss<br>March 2020 - June 2021 | Proposed CRRSAA Phase 2<br>Allocation<br>MTC Resolution 4453 | Total Federal COVID-19 Relief<br>CARES Act + CRRSAA (Phase 1 + 2) |              |
|--|---|--|--|--|---|--------------|
| AC Transit                                   | -\$68,796,657   | -\$41,277,994  | -\$110,074,651   | \$55,542,954   | \$169,703,158   | 7.5%         |
| BART   | -\$428,469,968  | -\$257,081,981   | -\$685,551,949   | \$274,420,539  | \$755,190,996   | 33.4%        |
| Caltrain                                     | -\$66,259,004   | -\$39,755,402  | -\$106,014,406   | \$39,755,402   | \$111,329,363   | 4.9%         |
| GGBHTD                                       | -\$65,715,791   | -\$39,429,475  | -\$105,145,266   | \$39,429,475   | \$111,329,896   | 4.9%         |
| SFMTA  | -\$351,621,326  | -\$210,972,796   | -\$562,594,122   | \$297,168,390  | \$714,701,296   | 31.6%        |
| SamTrans                                     | -\$20,593,670   | -\$12,356,202  | -\$32,949,871  | \$16,037,830   | \$61,917,930  | 2.7%         |
| VTA  | -\$65,667,896   | -\$39,400,738  | -\$105,068,634   | \$39,355,158   | \$180,930,864   | 8.0%         |
| <b>Subtotal</b>                              | <b>-\$1,067,124,311</b>   | <b>-\$640,274,587</b>  | <b>-\$1,707,398,898</b>                                | <b>\$761,709,749</b>   | <b>\$2,105,103,503</b>  | <b>93.2%</b> |
| ACE <sup>2</sup>                             | -\$1,058,929  | -\$635,358   | -\$1,694,287   | \$1,541,963  | \$4,222,417   | 0.2%         |
| CCCTA (fund swap) <sup>3</sup>               | -\$5,121,912  | -\$3,073,147   | -\$8,195,058   | \$3,688,131  | \$15,500,811  | 0.7%         |
| City of Dixon (5311) <sup>4</sup>            | -\$55,970   | -\$33,582  | -\$89,552  | \$69,918   | \$460,191   | 0.0%         |
| ECCTA (fund swap) <sup>3</sup>               | -\$3,285,520  | -\$1,971,312   | -\$5,256,833   | \$2,456,412  | \$10,481,051  | 0.5%         |
| City of Fairfield                            | -\$2,275,915  | -\$1,365,549   | -\$3,641,464   | \$1,049,102  | \$4,987,917   | 0.2%         |
| LAVTA (fund swap) <sup>3</sup>               | -\$3,793,431  | -\$2,276,059   | -\$6,069,490   | \$1,636,697  | \$8,455,819   | 0.4%         |
| Marin Transit                                | -\$3,925,426  | -\$2,355,255   | -\$6,280,681   | \$3,654,814  | \$13,831,121  | 0.6%         |
| NVTA   | -\$2,662,554  | -\$1,597,532   | -\$4,260,086   | \$1,539,743  | \$5,917,014   | 0.3%         |
| City of Petaluma (5311) <sup>4</sup>         | -\$480,734  | -\$288,440   | -\$769,174   | \$351,690  | \$1,412,635   | 0.1%         |
| City of Rio Vista (5311) <sup>4</sup>        | -\$20,926   | -\$12,555  | -\$33,481  | \$28,192   | \$186,032   | 0.0%         |
| SMART  | -\$5,458,404  | -\$3,275,043   | -\$8,733,447   | \$1,789,716  | \$16,742,247  | 0.7%         |
| City of Santa Rosa                           | -\$2,128,630  | -\$1,277,178   | -\$3,405,808   | \$1,931,323  | \$6,006,991   | 0.3%         |
| Solano County Transit                        | -\$3,349,099  | -\$2,009,459   | -\$5,358,558   | \$1,692,275  | \$7,224,123   | 0.3%         |
| Sonoma County Transit                        | -\$3,009,248  | -\$1,805,549   | -\$4,814,797   | \$1,438,846  | \$7,211,441   | 0.3%         |
| Transbay Joint Powers Authority <sup>5</sup> | -\$577,500  | -\$3,376,016   | -\$3,953,516   | \$3,287,474  | \$3,870,761   | 0.2%         |
| Union City Transit                           | -\$966,377  | -\$579,826   | -\$1,546,203   | \$514,277  | \$2,460,688   | 0.1%         |
| City of Vacaville (5311) <sup>4</sup>        | -\$752,472  | -\$451,483   | -\$1,203,955   | \$462,867  | \$2,252,754   | 0.1%         |
| WCCTA  | -\$2,718,920  | -\$1,631,352   | -\$4,350,272   | \$1,263,299  | \$5,281,146   | 0.2%         |
| WETA   | -\$22,459,657   | -\$13,475,794  | -\$35,935,451  | \$13,475,795   | \$37,110,595  | 1.6%         |
| <b>Subtotal</b>                              | <b>-\$64,101,624</b>  | <b>-\$41,490,490</b>   | <b>-\$105,592,114</b>                                  | <b>\$40,959,867</b>  | <b>\$153,615,756</b>  | <b>6.8%</b>  |
| <b>GRAND TOTAL</b>                           | <b>-\$1,131,225,935</b>   | <b>-\$681,765,077</b>  | <b>-\$1,812,991,011</b>                                | <b>\$802,669,615</b>   | <b>\$2,258,719,258</b>  | <b>100%</b>  |

<sup>1</sup> Revenue loss information based on actual data submitted to MTC by transit operators as well as MTC's data on Transportation Development Act (TDA LTF), State Transit Assistance, and BATA bridge tolls.<sup>2</sup> Actual loss data for ACE reflects a 13.37% MTC region share of ACE's total losses (\$7.9 million) from March to December 2020. The MTC region share is based on the percentage of ACE's total CARES Act allocations which came from the MTC region (\$2.7 million) vs. the Stockton Urbanized Area (\$17.5 million). ACE's total CARES Act allocation was \$20.2 million.<sup>3</sup> CRRSAA Phase 2 allocations for CCCTA, ECCTA, and LAVTA are proposed to be funded through fund swap with AC Transit/BART per policy (MTC Resolution 4453, Attachment C, III.a.ii.3.a)<sup>4</sup> CRRSAA Phase 2 allocations for City of Dixon, City of Petaluma, City of Rio Vista, and City of Vacaville are proposed to be funded via CRRSAA FTA Section 5311 funds/other; calculated amounts directed to other operators per policy (MTC Resolution 4453, Attachment C, III.a.ii.3.b-d). Dollar amounts shown above in italics/shaded cells under "Proposed CRRSAA Phase 2 Allocation MTC Resolution 4453" are not included in the total CRRSAA Phase 2 allocation of \$802,699,615 and are shown for illustrative purposes only.<sup>5</sup> CRRSAA Phase 2 allocation for the Transbay Joint Powers Authority (TJPA) is based on remaining CRRSAA funds once all transit operators have received an allocation equal to or greater than their anticipated revenue losses over the period of January to June 2021.

Date: January 27, 2021  
W.I.: 1512  
Referred By: Commission  
Revised: 03/24/21-C

Resolution No. 4453, Revised

This resolution approves the process, establishes the criteria, and programs projects for Federal Transit Administration (FTA) Sections 5307 Urbanized Area Formula and 5311 Rural Area formula funds apportioned to the San Francisco Bay Area pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) (H.R. 133) for FY2020-21 Emergency Transit Operations Assistance.

This resolution includes the following attachments:

- Attachment A – FY2020-21 Emergency Transit Operations Program of Projects
- Attachment B – Text of July 22, 2020 Amended Motion of Approval of MTC Resolution No. 4420, Revised (“True Up Directive”)
- Attachment C – FY2020-21 Emergency Transit Operations Programming Policy
- Attachment D – CRRSAA Phase 2 Funding Distribution Summary

This resolution was revised on March 24, 2021 via Commission action to program the second phase of CRRSAA funds in Attachment A; to revise the table of eligible operators, add Phase 2 methodology, and add an appendix with ridership count in Attachment C; and to add Attachment D, CRRSAA Phase 2 Funding Distribution Summary.

Further discussion is contained in the Metropolitan Transportation Commission Summary Sheet dated January 27, 2021, and the Programming and Allocations Committee Summary Sheet dated March 10, 2021.

Date: January 27, 2021  
W.I.: 1512  
Referred By: Commission

RE: San Francisco Bay Area FY2020-21 Emergency Transit Operations Programming and Policy

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4453

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

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county Bay Area; and

WHEREAS, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) (H.R. 133) has been signed into law in response to the nationwide Coronavirus pandemic, which provides supplemental appropriations for Emergency Transit Operations Assistance through the Federal Transit Administration (FTA) Section 5307 Urbanized Area and Section 5311 Rural Area formula programs; and

WHEREAS, MTC is the designated recipient of the FTA Section 5307 Urbanized Area Formula Program funds for the large urbanized areas of San Francisco-Oakland, San Jose, Concord, Antioch, and Santa Rosa, and has been authorized by the California Department of Transportation (Caltrans) to select projects and recommend funding allocations subject to state approval for the FTA Section 5307 funds for the small urbanized areas of Vallejo, Fairfield, Vacaville, Napa, Livermore, Gilroy-Morgan Hill, and Petaluma in MTC's Federal Transportation Improvement Program and for the Section 5311 funds in non-urbanized areas; and

WHEREAS, the projects to be funded are set forth in the detailed project listings in Attachment A, which are incorporated herein as though set forth at length; and

WHEREAS, this Commission approved MTC Resolution No. 4420, Revised with an amended motion of approval conditioned upon a "true up" of any negative differential between projected and actual sales tax and/or fare revenues with any future allocation of federal dollars for pandemic/economic relief as set forth in Attachment B, which is incorporated herein as though set forth at length; and

WHEREAS, the Policy to be used for the distribution of funds is set forth in Attachment C, which is incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC adopts the FY2020-21 Emergency Transit Operations Program of Projects to be funded as set forth in Attachment A; and, be it further


RESOLVED, that MTC approves FY2020-21 Emergency Transit Operations Programming Policy as set forth in Attachment C; and, be it further

RESOLVED, that MTC will use the Policy as set forth in Attachment C to program supplemental FTA Sections 5307 and 5311 formula funds appropriated in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 for Emergency Transit Operations Assistance as provided under statute; and, be it further

RESOLVED, that the Executive Director of MTC, or their designee, is authorized and directed to modify the Program of Projects as listed in Attachment A to meet requirements of FTA; and, be it further

RESOLVED, that the Executive Director of MTC, or their designee, is authorized and directed to forward a copy of this resolution to FTA or other such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

  
\_\_\_\_\_  
Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on January 27, 2021.

**FY2020-21 Emergency Transit Operations Program of Projects**

| TIP ID                                       | Operator              | Project Description                     | Total FTA Program  | FTA Section 5307   | FTA Section 5311 |
|--|-----------------------|---|--------------------|--------------------|------------------|
| <b>Apportionments</b>                        |                       |   | <b>982,271,293</b> | <b>982,271,293</b> | <b>TBD</b>       |
| <b>Phase 1 Programming</b>                   |                       |   |                    |                    |                  |
|  | BART                  | CRRSAA-eligible Projects                | 103,717,002        | 103,717,002        |                  |
|  | Caltrain              | CRRSAA-eligible Projects                | 6,936,627          | 6,936,627          |                  |
|  | GGBHTD                | CRRSAA-eligible Projects                | 20,319,959         | 20,319,959         |                  |
|  | SFMTA                 | CRRSAA-eligible Projects                | 43,750,147         | 43,750,147         |                  |
|  | WETA                  | CRRSAA-eligible Projects                | 4,877,943          | 4,877,943          |                  |
| <b>Phase 1 Program Total</b>                 |                       |   | <b>179,601,678</b> | <b>179,601,678</b> | <b>-</b>         |
| <b>Fund Balance</b>                          |                       |   | <b>802,669,615</b> | <b>802,669,615</b> | <b>TBD</b>       |
| <b>Phase 2 Programming</b>                   |                       |   |                    |                    |                  |
|  | AC Transit            | CRRSAA-eligible Projects                | 55,542,954         | 55,542,954         |                  |
| NEW  | AC Transit            | Replacement Buses (fund swap)           | 1,027,003          | 1,027,003          |                  |
|  | ACE                   | CRRSAA-eligible Projects                | 1,541,963          | 1,541,963          |                  |
|  | BART                  | CRRSAA-eligible Projects                | 274,420,539        | 274,420,539        |                  |
| REG090037                                    | BART                  | Railcar Replacement Program (fund swap) | 6,754,237          | 6,754,237          |                  |
|  | Caltrain              | CRRSAA-eligible Projects                | 39,755,402         | 39,755,402         |                  |
|  | City of Fairfield     | CRRSAA-eligible Projects                | 1,049,102          | 1,049,102          |                  |
|  | City of Santa Rosa    | CRRSAA-eligible Projects                | 1,931,323          | 1,931,323          |                  |
|  | GGBHTD                | CRRSAA-eligible Projects                | 39,429,475         | 39,429,475         |                  |
|  | Marin Transit         | CRRSAA-eligible Projects                | 3,654,814          | 3,654,814          |                  |
|  | NVTA                  | CRRSAA-eligible Projects                | 1,539,743          | 1,539,743          |                  |
|  | SamTrans              | CRRSAA-eligible Projects                | 16,037,830         | 16,037,830         |                  |
|  | SFMTA                 | CRRSAA-eligible Projects                | 297,168,390        | 297,168,390        |                  |
|  | SMART                 | CRRSAA-eligible Projects                | 1,789,716          | 1,789,716          |                  |
|  | Solano County Transit | CRRSAA-eligible Projects                | 1,692,275          | 1,692,275          |                  |
|  | Sonoma County Transit | CRRSAA-eligible Projects                | 1,438,846          | 1,438,846          |                  |
|  | TJPA                  | CRRSAA-eligible Projects                | 3,287,474          | 3,287,474          |                  |
|  | Union City Transit    | CRRSAA-eligible Projects                | 514,277            | 514,277            |                  |
|  | VTA                   | CRRSAA-eligible Projects                | 39,355,158         | 39,355,158         |                  |
|  | WCCTA                 | CRRSAA-eligible Projects                | 1,263,299          | 1,263,299          |                  |
|  | WETA                  | CRRSAA-eligible Projects                | 13,475,795         | 13,475,795         |                  |
| <b>Phase 2 Program Total</b>                 |                       |   | <b>802,669,615</b> | <b>802,669,615</b> | <b>-</b>         |
| <b>Total Programming (Phase 1 + Phase 2)</b> |                       |   | <b>982,271,293</b> | <b>982,271,293</b> | <b>TBD</b>       |
| <b>Fund Balance</b>                          |                       |   | <b>-</b>           | <b>-</b>           | <b>TBD</b>       |

**NOTES:** The above table incorporates the following:

| Operator          | Calculated CRRSAA Amount | Note   |
|-------------------|--------------------------|--|
| CCCTA             | 3,688,131                | To be funded through fund swap with AC Transit/BART per policy (Attachment C, III.a.ii.3.a)  |
| ECCTA             | 2,456,412                |  |
| LAVTA             | 1,636,697                |  |
| <b>Subtotal</b>   | <b>7,781,240</b>         |  |
| City of Petaluma  | 351,690                  | To be funded via CRRSAA Section 5311/other; calculated amounts directed to other operators per policy (Attachment C, III.a.ii.3.b-d) |
| City of Vacaville | 462,867                  |  |
| City of Dixon     | 69,918                   |  |
| City of Rio Vista | 28,192                   |  |
| <b>Subtotal</b>   | <b>912,667</b>           |  |



Date: January 27, 2021  
W.I.: 1512  
Referred By: Commission

Attachment B  
Resolution No. 4453  
Page 1 of 1

**Text of July 22, 2020 Amended Motion of Approval of MTC Resolution No. 4420, Revised  
("True Up Directive")**

Upon the motion by Commissioner Josefowitz and the second by Commissioner Sperling, the Commission unanimously adopted MTC Resolution No. 4420, Revised with an amendment conditioned upon a "true up" of any negative differential between projected and actual sales tax and/or fare revenues with any future allocation of federal dollars for pandemic/economic relief. Such calculation shall be based upon the actual receipts for the periods March – August and September – December 2020, or appropriate time period for actual available data. In the event any transit operator received less than their adjusted share of CARES Act funding due to the inaccurate forecasts, such differentials shall be compensated with a future federal allocation of emergency funding. If Congress fails to appropriate any such additional dollars for transit operators, then MTC staff shall identify other new or augmented sources of flexible new federal funding which can appropriately compensate operators for those shortfalls. In addition, transit operators will be required to approve resolutions confirming commitment to safety as well as submit monthly reports to MTC on health and safety, including public health actions and COVID case data.

Date: January 27, 2021  
W.I.: 1512  
Referred By: Commission  
Revised: 03/24/21-C

Attachment C  
Resolution No. 4453  
Page 1 of 8

**San Francisco Bay Area FY2020-21 Emergency Transit Operations  
Assistance Programming Policy**

Metropolitan Transportation Commission  
Bay Area Metro Center  
375 Beale Street, Suite 800  
San Francisco, CA 94105

## I. About the Policy

- a. **Background:** The FY2020-21 Emergency Transit Operations Assistance Programming Policy applies to the programming of supplemental Federal Transit Administration Section 5307 Urbanized Area and 5311 Rural Area formula program funds apportioned to the San Francisco Bay Area in FY2020-21, pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) (H.R. 133).

This policy contains the rules for establishing a program of projects for eligible transit operators in the San Francisco Bay Area Region.

On December 27, 2020, CRRSAA was signed into law, providing supplemental appropriations for emergency transit operations in response to the global Coronavirus pandemic. These supplemental appropriations were provided via existing FTA Section 5307 and 5311 formula programs, and follow many of the same statutory guidelines and requirements. However, the funds are explicitly eligible for use for operating assistance and capital expenses related to transit operator response to the Coronavirus pandemic.

- b. **Goals & Objectives:** The goal of this policy is to provide emergency operating assistance to transit operators to mitigate lost fare revenues, reduced sales tax revenues, and other lost revenues, and increased costs associated with the Coronavirus pandemic; recognizing distinctions between initial responses to the crisis, and recovery efforts emerging from it.

## II. The Policy

### a. FTA Funds

- i. Federal Eligibility: In addition to the typical eligibility for capital and operating projects for the FTA Section 5307 Urbanized Area and FTA Section 5311 Rural Area Formula Programs as described in detail in MTC Resolution Nos. 4036, Revised (5311 Program Policy), and 4444 (Transit Capital Priorities Policy), CRRSAA also makes these funds *“available for the operating expenses of transit agencies related to the response to a COVID-19 public health emergency including, beginning on January 20, 2020, reimbursement for operating costs to maintain service and lost revenue due to the COVID-19 public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations or contractor personnel due to reductions in service.”* Further, CRRSAA provides this supplemental funding up to a 100% Federal share.
- ii. CRRSAA Funding to Limited Urbanized Areas: CRRSAA specified that its FTA Section 5307 funding for a given urbanized area (UZA), when combined with the amounts allocated to that UZA from Section 5307 funds appropriated under the CARES Act, could not exceed 75 percent of that UZA’s 2018 NTD operating cost. Therefore, due to the amounts that were allocated in the CARES Act, within the region only the San Francisco-Oakland, San Jose, and Santa Rosa UZAs received appropriations under CRRSAA.
- iii. Regional Eligibility: Transit operators are required to submit annual reports to the

National Transit Database (NTD). Service factors reported in large UZAs partially determine the amounts of FTA Section 5307 funds generated in the region. An operator is eligible to be programmed and apply to FTA for funds only in designated UZAs, as outlined in Table 1 below. Eligibility is based on geographical operations and 2018 self-reported NTD information and may be broader than the UZA eligibility for the Transit Capital Priorities (TCP) Program (MTC Resolution No. 4444) typically used for distribution of FTA formula funds, in which certain operator agreements are recognized. Additionally, MTC is an eligible recipient in each UZA in the region. As of March 2021, Table 1 presents the same information as the CARES Act programming policy for the three UZAs receiving funding, plus the additions of eligibility for Napa Valley Transportation Authority and Transbay Joint Powers Authority in San Francisco-Oakland UZA based on service provided. MTC may subsequently add operators, as justified, based on transit service provided.

**Table 1. Urbanized Area Eligibility**

| Urbanized Area        | Eligible Transit Operators <sup>†</sup>  |
|-----------------------|--|
| San Francisco-Oakland | Alameda-Contra Costa Transit District (AC Transit), Altamont Corridor Express (ACE)*, San Francisco Bay Area Rapid Transit District (BART), Peninsula Corridor Joint Powers Board (Caltrain), Fairfield and Suisun Transit (FAST)*, Golden Gate Bridge, Highway & Transportation District (GGBHTD), Marin County Transit District (Marin Transit)*, MTC, Napa Valley Transportation Authority (NVTA), San Francisco Municipal Transportation Authority (SFMTA), San Mateo County Transit District (SamTrans), Santa Clara Valley Transportation Authority (VTA), Solano County Transit (SolTrans)*, Sonoma-Marín Area Rail Transit (SMART)*, Transbay Joint Powers Authority (TJPA), City of Union City (Union City Transit)*, Water Emergency Transportation Authority (WETA)*, Western Contra Costa Transit Authority (WestCAT)* |
| San Jose              | AC Transit, ACE*, Caltrain, MTC, VTA   |
| Santa Rosa            | GGBHTD, MTC, Santa Rosa CityBus*, SMART*, Sonoma County Transit*   |

<sup>†</sup> Eligibility based on 2018 NTD Report Data

\*Small Operator

The FTA Section 5311 Rural Area formula program provides funds to transit operators for service in non-urbanized and rural areas. Operator eligibility is determined by non-urbanized service as provided in the 2012 Regional Transit Database, as explained in MTC Resolution No. 4036, and as self-reported in 2018 NTD reporting. Operators eligible to receive Rural Area formula program funds, based on their provision of rural and non-urbanized area service are as follows:

|                         |               |                       |
|-------------------------|---------------|-----------------------|
| AC Transit              | FAST          | SamTrans              |
| Caltrain                | LAVTA         | SolTrans              |
| CCCTA                   | Marin Transit | Sonoma County Transit |
| City of Dixon           | NVTA/Vine     | Vacaville CityCoach   |
| City of Rio Vista       | Petaluma      | VTA                   |
| ECCTA/Tri Delta Transit |               |                       |

Per the State Management Plan for Federal Transit Funds, Caltrans makes final

determination of project eligibility for Section 5311 Rural Area Formula funds.

b. Funding Distribution Methodology

- i. Regional Programming Approach: The Regional Programming Approach, as described below, is designed to prioritize funds to operators based on needs. The approach assumes a regional programming perspective and constrains regional demands to the amount of funds available to the region, prior to programming funds to project. It then assigns funds from urbanized areas in the following order:
  1. Fund needs for operators that are restricted to receiving funds in one UZA (e.g., SFMTA, WestCAT, etc.).
  2. Fund balance of operator needs among multiple UZAs, as eligibility allows, with the objective of fully funding needs (as defined in III.a., below) due to the Coronavirus to the maximum extent possible.
  3. Reduce operator funding proportionately in UZAs where needs exceed available funding.
  4. If, after Future Phase(s) funds are programmed to address pandemic-related operator needs (further described in III.a.2. below), any remaining funds will be programmed for eligible recipients per the TCP Policy (MTC Resolution No. 4444), but using the UZA eligibility outlined in Table 1 to maintain maximum flexibility with these funds.
- ii. Phased Distribution of Funds: Funds will be distributed in two Phases:
  1. Phase 1: A first phase will be distributed according to the True Up Directive as detailed in Attachment A to this resolution using the methodology described in III.a.i., below.
  2. Phase 2: The remaining funding from the region's apportionment will be assigned to operators following a process to be determined in consultation with regional partners and adopted by the Commission. The methodology for future phases is described in III.a.ii., below.

### III. The Process

- a. The distribution of funds in Phases 1 and 2 will utilize separate methodologies in order to balance the impacts of the Coronavirus pandemic on the various operators in the region. This process recognizes the myriad revenue sources that go into different operator budgets, and seeks to provide equitable levels of funding to each across the region.

- i. Phase 1 Methodology: The following process describes the methodology used to determine the Phase 1 distribution of CRRSAA funds according to the True Up Directive:

1. The methodology used to distribute Phase 2 of CARES Act funding – described in MTC Resolution No. 4420, Revised, Attachment B – was adjusted to include actual and anticipated transit operator revenue losses from March 2020 through December 2020, in place of forecasted losses. The distribution was then recalculated and resulting deficits between the initial CARES Act distribution and the recalculation, represent the recommended programming amounts for Phase 1 of CRRSAA funding.

- ii. Phase 2 Methodology:

1. 75% of the remaining funds will be distributed as follows:

- a. Estimated revenue loss from January to June 2021, based on monthly average of actual/anticipated revenue loss from March to December of 2020, will be determined for each operator.
- b. An amount equal to five percent of agency FY2018-19 operating budget will be determined for each operator.
- c. The greater of (a) or (b) will be programmed to each operator, net of CARES funding programmed in excess of actual/anticipated revenue loss from March to December of 2020.
- d. The calculated amount per operator after (c) will be proportionally reduced so that the total distribution equals 75% of remaining funds.

2. 25% of the remaining funds will be distributed as follows:

- a. Proportional by operator to November 2020 percent share of regional transit ridership (detailed in Appendix 1 to this attachment).

3. Adjustments to the amounts distributed via (1) and (2) will be made as follows:

- a. Due to UZA limitations, amounts calculated for CCCTA, ECCTA, and LAVTA will be received as a fund swap via the Transit Capital Priorities program for FY2020-21, or other eligible federal fund source. CRRSAA funds equaling the sum of those three operators' calculated amounts will be programmed to CRRSAA-eligible

operators to facilitate this swap.

- b. Due to UZA and fund swap limitations, amounts calculated for Petaluma, Vacaville, Dixon, and Rio Vista will be met through CRRSAA Section 5311 funding programmed or apportioned to the region by Caltrans, and/or through other mechanisms to be recommended by staff at a later date.
- c. Operators whose distributed amounts do not meet or exceed the anticipated amount of funding needed to cover revenue losses through the end of FY2020-21 will receive an additional amount to bring their total up accordingly. Such amounts will be covered through the amounts calculated for Petaluma, Vacaville, Dixon, and Rio Vista.
- d. Funds remaining after (c) will be programmed to TJPA.

iii. Funding: Once operator funding targets are determined by the methodology outlined above, the Phase 1 and Phase 2 targets will be funded using the Regional Programming Model described in II.b.i, above.

- b. Annual Programming in the TIP: MTC, in cooperation with the state and eligible transit operators, is required to develop a Transportation Improvement Program (TIP) for the MTC Region. The TIP is a four-year programming document, listing federally-funded transportation projects, projects requiring a federal action, and projects deemed regionally significant. TCP programming in each year of the TIP will be financially constrained to the estimated apportionment level. Programming adjustments in the TIP will be done in consultation with eligible transit operators in the MTC region.

CRRSAA waives the typical requirement for TIP inclusion for the supplemental apportionments included in the Act used for operating assistance or to pay for capital expenses for emergency relief do not need to be included in the TIP/STIP unless the projects are for substantial functional, locational, or capacity changes. [23 CFR §§ 450.326(e)(5), 450.218(g)(5)]. Over time, MTC will work to incorporate all such funding from CRRSAA in to the TIP for fund monitoring purposes. However, inclusion in the TIP is not a precondition for receiving these funds.

- c. Process for Programming Revisions & Amendments: The attachments to this resolution will be revised at a later date to include Future Phase funding amounts for operators and to include more detail on the FTA Section 5311 process, as needed, once provided by Caltrans. MTC will consider revisions to an operator's programming as requested.
- d. Grant Applications:
  - i. FTA Section 5307 Programs: Each operator is expected to complete their own Federal grant application using FTA's Transit Award Management System (TrAMS). MTC staff will review grant applications and submit concurrence letters or other required materials to FTA on behalf of project sponsors as needed.
  - ii. FTA Section 5311 Program: Operators are responsible for working with Caltrans,

the designated recipient and grantee for the Section 5311 program, to respond to calls for projects and submit required materials to access these funds. MTC will assist with the Regional Agency/Transportation Planning Agency (TPA) Certifications and Assurances and any other documentation, as needed.



## Appendix 1

### November 2020 Ridership

| Operator                        | November 2020<br>Ridership | % of Region<br>Total |
|---------------------------------|----------------------------|----------------------|
| ACE                             | 12,085                     | 0.12%                |
| AC Transit                      | 1,622,533                  | 16.56%               |
| BART                            | 1,424,620                  | 14.54%               |
| Caltrain                        | 82,482                     | 0.84%                |
| CCCTA                           | 89,084                     | 0.91%                |
| City of Dixon                   | 1,555                      | 0.02%                |
| ECCTA                           | 70,524                     | 0.72%                |
| City of Fairfield               | 23,743                     | 0.24%                |
| GGBHTD                          | 61,698                     | 0.63%                |
| LAVTA                           | 34,702                     | 0.35%                |
| Marin Transit                   | 110,986                    | 1.13%                |
| NVTA                            | 23,684                     | 0.24%                |
| City of Petaluma                | 10,375                     | 0.11%                |
| City of Rio Vista               | 261                        | 0.00%                |
| SFMTA                           | 4,683,371                  | 47.79%               |
| SamTrans                        | 378,567                    | 3.86%                |
| SMART                           | 8,145                      | 0.08%                |
| City of Santa Rosa              | 62,773                     | 0.64%                |
| Solano County Transit           | 32,754                     | 0.33%                |
| Sonoma County Transit           | 30,267                     | 0.31%                |
| Transbay Joint Powers Authority | -                          | 0.00%                |
| Union City Transit              | 13,383                     | 0.14%                |
| City of Vacaville               | 16,436                     | 0.17%                |
| VTA                             | 956,493                    | 9.76%                |
| WCCTA                           | 25,589                     | 0.26%                |
| WETA                            | 22,830                     | 0.23%                |
| <b>Total</b>                    | <b>9,798,940</b>           | <b>100%</b>          |

Source: National Transit Database (NTD), SFMTA, MTC estimates for NTD Limited Reporters

## CRRSAA Phase 2 Funding Distribution Summary

Programming and Allocations Committee  
March 10, 2021MTC Res. 4453, Revised  
Attachment D  
Page 1 of 1

| Transit Operator                             | 75% of CRRSAA Phase 2:<br>Based on Remaining<br>Federal Covid-19 Relief<br>Need or 5% of FY 2018-<br>19 Budget <sup>4</sup> | 25% of CRRSAA<br>Phase 2:<br>November 2020 %<br>Share of Regional<br>Ridership x 25% of<br>CRRSAA Phase 2 | Proposed CRRSAA Phase<br>2 Allocation<br>MTC Resolution 4453 |
|--|---|---|--|
| AC Transit                                   | \$22,315,943  | \$33,227,011  | \$55,542,954   |
| BART   | \$245,246,486   | \$29,174,053  | \$274,420,539  |
| Caltrain                                     | \$37,925,150  | \$1,689,106   | \$39,755,402   |
| GGBHTD                                       | \$37,614,227  | \$1,263,481   | \$39,429,475   |
| SFMTA  | \$201,260,067   | \$95,908,323  | \$297,168,390  |
| SamTrans                                     | \$8,285,353   | \$7,752,477   | \$16,037,830   |
| VTA  | \$19,767,635  | \$19,587,523  | \$39,355,158   |
| <b>Subtotal</b>                              | <b>\$572,414,862</b>  | <b>\$188,601,974</b>  | <b>\$761,709,749</b>   |
| ACE  | \$1,294,481   | \$247,482   | \$1,541,963  |
| CCCTA (fund swap) <sup>1</sup>               | \$1,863,826   | \$1,824,305   | \$3,688,131  |
| City of Dixon (5311) <sup>2</sup>            | \$38,074  | \$31,844  | \$69,918   |
| ECCTA (fund swap) <sup>1</sup>               | \$1,012,188   | \$1,444,224   | \$2,456,412  |
| City of Fairfield                            | \$562,881   | \$486,221   | \$1,049,102  |
| LAVTA (fund swap) <sup>1</sup>               | \$926,053   | \$710,644   | \$1,636,697  |
| Marin Transit                                | \$1,381,989   | \$2,272,825   | \$3,654,814  |
| NVTA   | \$1,054,730   | \$485,012   | \$1,539,743  |
| City of Petaluma (5311) <sup>2</sup>         | \$139,226   | \$212,464   | \$351,690  |
| City of Rio Vista (5311) <sup>2</sup>        | \$22,848  | \$5,345   | \$28,192   |
| SMART  | \$1,622,918   | \$166,797   | \$1,789,716  |
| City of Santa Rosa                           | \$645,827   | \$1,285,496   | \$1,931,323  |
| Solano County Transit                        | \$1,021,523   | \$670,752   | \$1,692,275  |
| Sonoma County Transit                        | \$819,024   | \$619,822   | \$1,438,846  |
| Transbay Joint Powers Authority <sup>3</sup> | \$3,220,592   | \$0   | \$3,287,474  |
| Union City Transit                           | \$240,214   | \$274,064   | \$514,277  |
| City of Vacaville (5311) <sup>2</sup>        | \$126,282   | \$336,584   | \$462,867  |
| WCCTA  | \$739,276   | \$524,024   | \$1,263,299  |
| WETA   | \$12,855,398  | \$467,524   | \$13,475,795   |
| <b>Subtotal</b>                              | <b>\$29,587,349</b>   | <b>\$12,065,429</b>   | <b>\$40,959,867</b>  |
| <b>GRAND TOTAL</b>                           | <b>\$602,002,211</b>  | <b>\$200,667,404</b>  | <b>\$802,669,615</b>   |

<sup>1</sup> CRRSAA Phase 2 allocations for CCCTA, ECCTA, and LAVTA are proposed to be funded through fund swap with AC Transit/BART per policy (MTC Resolution 4453, Attachment C, III.a.ii.3.a)

<sup>2</sup> CRRSAA Phase 2 allocations for City of Dixon, City of Petaluma, City of Rio Vista, and City of Vacaville are proposed to be funded via CRRSAA FTA Section 5311 funds/other; calculated amounts directed to other operators per policy (MTC Resolution 4453, Attachment C, III.a.ii.3.b-d). Dollar amounts shown above in italics/shaded cells under "Proposed CRRSAA Phase 2 Allocation MTC Resolution 4453" are not included in the total CRRSAA Phase 2 allocation of \$802,699,615 and are shown for illustrative purposes only.

<sup>3</sup> CRRSAA Phase 2 allocation for the Transbay Joint Powers Authority (TJPA) is based on remaining CRRSAA funds once all transit operators have received an allocation equal to or greater than their anticipated revenue losses over the period of January to June 2021.

<sup>4</sup> Whichever is greater of (a) Remaining Federal COVID-19 Relief Need After Accounting for Revenue Losses from January to June 2021 and Remaining Funds from the CARES Act + CRRSAA Phase 1 or (b) 5% of FY 2018-19 Budget.