

Date: June 28, 2023
W.I.: 1255
Referred by: PAC
Revised: 07/26/23-C
09/27/23-C
05/22/24-C

ABSTRACT

Resolution No. 4584, Revised

This resolution approves the allocation of Regional Measure 3 funds for North Bay Transit Access Improvements, sponsored by the Metropolitan Transportation Commission and implemented by transit operators in the Counties of Contra Costa, Marin, Napa, Solano, and Sonoma.

This Resolution includes the following attachments:

Attachment A – Allocation Summary and Conditions of Allocation

Attachment B – Project and Subproject Details

Attachment C – Project Funding Plan and Schedule

Attachment D – RM3 Deliverable Segment/Product Cash Flow Plan

This resolution allocates \$20 million in RM3 funds to the Napa Valley Transportation Authority for construction of the Vine Transit Maintenance Facility (RM3 Project #26.1).

This resolution was revised on July 26, 2023 to allocate \$2 million in RM3 funds to the Solano Transportation Authority for the environmental phase of the Solano Rail Hub (RM3 Project #26.2).

This resolution was revised on September 27, 2023 to allocate \$5 million in RM3 funds to the Central Contra Costa Transit Authority (CCCTA) for the County Connection Bus Replacements Project (RM3 Project #26.3).

This resolution was revised on May 22, 2024 to allocate \$0.3 million in RM3 funds to Eastern Contra Costa Transit Authority (ECCTA) for the Hydrogen Fuel Project (RM3 Project #26.4); and \$2.8 million to Sonoma–Marin Area Rail Transit (SMART) for the Windsor Extension - Windsor High School Undercrossing Project (RM3 Project #26.5). These revisions also include adding the RM3 project numbers to all allocations to date.

Further discussion of these actions is contained in the Programming and Allocations Summary Sheets dated June 14, 2023, July 12, 2023, September 13, 2023 and May 8, 2024.

Date: June 28, 2023
W.I.: 1255
Referred by: PAC

RE: Approval of Allocation of Regional Measure 3 Funds for North Bay Transit Access Improvements.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4584

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

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

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

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

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

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

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MTC Resolution No. 4584, Revised

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

WHEREAS, the North Bay Transit Access Improvements Program is identified as capital project number 26 under the RM3 expenditure plan and is eligible to receive RM3 funding as identified in Streets and Highways Code Sections 30914.7(a); and

WHEREAS, MTC has approved the programming of North Bay Transit Access Improvements funds to eligible implementing agencies for projects listed in MTC Resolution No. 4411, Revised; and

WHEREAS, MTC approved a Letter of No Prejudice (LONP) through MTC Resolution No. 4412 on June 23, 2021 allowing the eligible RM3 scope as identified in the LONP to proceed while the implementing agency retained eligibility for reimbursement of RM3 funds up to the amount identified in the LONP; and

WHEREAS, each implementing agency will submit a request for the allocation of RM3 funds for their eligible project to MTC for review and approval for each project allocation request; and

WHEREAS, each implementing agency will submit an initial Project Report (IPR), as required pursuant to Streets and Highways Code Section 30914.7(d) to MTC for review and approval for each project allocation request; and

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

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

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MTC Resolution No. 4584, Revised

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

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

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

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

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

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

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

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

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MTC Resolution No. 4584, Revised

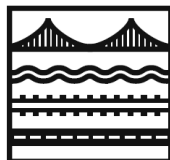
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RESOLVED, that a certified copy of this resolution shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on June 26, 2023.



Regional Measure 3

Allocation of Funds

Allocation Summary

RM3 Project Number	26.4
Project Title	Hydrogen Fueling Station
Project Sponsor	Eastern Contra Costa Transit Authority (ECCTA)

Activities to be funded with Allocation #1:					
Consultant costs to finalize design, develop scope and construction documents for the hydrogen fueling station that will have the capacity to fuel up to 75 hydrogen fuel cell buses.					
Funding Information:					
Allocation Instruction No.	Approval Date	Phase	Reimbursement Year	Expiration Date	Allocation Amount
24458404	22-May-24	PS&E	FY2023-24	30-Jun-25	\$ 300,000
Cumulative Total - Allocation 1					\$ 300,000
Cumulative Total - Project 26.4					\$ 300,000



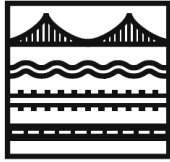
Regional Measure 3

Allocation of Funds

Conditions of Allocation

RM3 Project Number	26.4
Project Title	Hydrogen Fueling Station
Project Sponsor	Eastern Contra Costa Transit Authority (ECCTA)

Conditions of Allocation #1	
1	This allocation is conditioned on approval of a revised RM3 allocation request and board resolution by ECCTA Board of Directors, anticipated on May 22, 2024.
2	

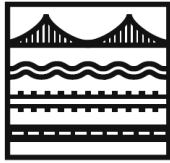


Regional Measure 3

Allocation of Funds

IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	26.4	
Project Title	Hydrogen Fueling Station	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Eastern Contra Costa Transit Authority		ECCTA
Legislated Project Description	RM3 Legislated Funding (in \$1,000s)	
(26) 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.	\$3,500	
Sponsor Programming and Allocation Request Action		
This allocation is conditioned on a revised approval of RM3 allocation request and board resolution by ECCTA Board of Directors, scheduled for 5/22/24.The CCTA Board of Directors approved North Bay Transit Access Improvements programming for this ECCTA project on April 17, 2024.		
Detailed Project/Subproject Description		
The Hydrogen Fueling Station will include an 18,000-gallon tank to store liquid hydrogen and will have 2 dispensers (for redundancy). The station will also have the ability to dispense gaseous hydrogen that is trailered in from a local supplier as a backup for any delivery of liquid hydrogen that may occur. The hydrogen fueling station will have the capacity to fuel up to 75 hydrogen fuel cell buses.		



Regional Measure 3

Allocation of Funds

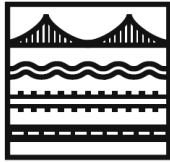
IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	26.4
Project Title	Hydrogen Fueling Station
Project Sponsor	Eastern Contra Costa Transit Authority (ECCTA)

Project Funding Plan

Project Schedule

Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV				N/A	N/A
	ENV Subtotal				
PSE	RM3	yes	\$ 300	Jul-24	Dec-24
	PSE Subtotal		\$ 300		
ROW			-	N/A	N/A
	ROW Subtotal		\$ -		
CON	RM3	yes	\$ 3,200	Mar-24	Jul-26
	FY21 FTA 5339 Discretionary Award	yes	\$ 4,000		
	ZEB Set-Aside (MTC)	yes	\$ 2,500		
	CON Subtotal		\$ 9,700		
Capital Funding Total			\$ 10,000		



Regional Measure 3

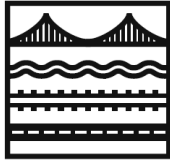
Allocation of Funds

Cash Flow Plan

RM3 Project Number	26.4
Project Title	Hydrogen Fueling Station
Project Sponsor	Eastern Contra Costa Transit Authority (ECCTA)

RM3 Cash Flow Plan by Phase - Funding by planned year of expenditure

Funding Source		Prior	2023-24	2024-25	2025-26	2026-27	Future committed	Total Amount (\$ thousands)
								\$ -
								\$ -
								\$ -
								\$ -
RM3	PSE			\$ 300				\$ 300
								\$ -
								\$ -
PSE Subtotal		\$ -	\$ -	\$ 300	\$ -	\$ -	\$ -	\$ 300
								\$ -
								\$ -
								\$ -
ROW Subtotal								\$ -
RM-3	CON			\$ 800	\$ 2,400			\$ 3,200
FY21 FTA 5339	CON			\$ 1,000	\$ 3,000			\$ 4,000
ZEB Set-Aside (MTC)	CON			\$ 625	\$ 1,875			\$ 2,500
								\$ -
								\$ -
CON Subtotal		\$ -	\$ -	\$ 2,425	\$ 7,275	\$ -	\$ -	\$ 9,700
RM 3 Funding Subtotal		\$ -	\$ -	\$ 1,100	\$ 2,400	\$ -	\$ -	\$ 3,500
Capital Funding Total		\$ -	\$ -	\$ 2,725	\$ 7,275	\$ -	\$ -	\$ 10,000



Regional Measure 3

Allocation of Funds

Allocation Summary

RM3 Project Number	26.5
Project Title	Windsor Extension - Windsor High School Undercrossing Project
Project Sponsor	Sonoma–Marin Area Rail Transit (SMART)

Activities to be funded with Allocation #1:					
Construction of grade separated pedestrian tunnel and approaches near Windsor High School, under SMART rail extension to Windsor.					
Funding Information:					
Allocation Instruction No.	Approval Date	Phase	Reimbursement Year	Expiration Date	Allocation Amount
24458405	22-May-24	CON	FY2023-24	30-Jun-25	\$ 2,800,000
Cumulative Total - Allocation 1					\$ 2,800,000
Cumulative Total - Project 26.5					\$ 2,800,000



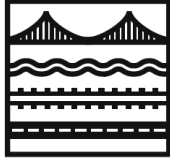
Regional Measure 3

Allocation of Funds

Conditions of Allocation

RM3 Project Number	26.5
Project Title	Windsor Extension – Windsor High School Undercrossing
Project Sponsor	Sonoma–Marin Area Rail Transit (SMART)

Conditions of Allocation #1	
1	None
2	

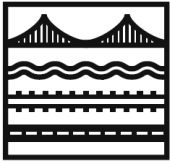


Regional Measure 3

Allocation of Funds

IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	26.5	
Project Title	Windsor Extension – Windsor High School Undercrossing	
Lead Sponsor(s)	Other Sponsor(s)	Implementing Agency
Sonoma–Marin Area Rail Transit (SMART)		SMART
Legislated Project Description	RM3 Legislated Funding (in \$1,000s)	
(26) 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.	\$2,800	
Sponsor Programming and Allocation Request Action		
The SMART Board of Directors approved Resolution No. 202408 on 4/3/24 approving the IPR and \$2.8M allocation request. This allocation was also reviewed and approved by SCTA Board of Directors on March 11, 2024 (Item 5.3, SCTA-RCPA Board of Directors 3-11-2024).		
Detailed Project/Subproject Description		
The SMART Windsor Extension includes the SMART Pathway/Great Redwood Trail with a grade separated pedestrian tunnel near Windsor High School. The price for the change of order is secured and work is anticipated to begin immediately upon MTC approval, and be completed by the end of summer 2024. This project is one element of the larger SMART Windsor rail and path extension project that is approximately 50% complete and anticipated to be open for revenue service in Spring 2025.		



Regional Measure 3

Allocation of Funds

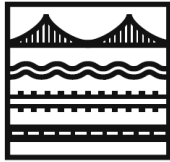
IPR Review (Project and Subproject Details, Funding Plan, and Schedule)

RM3 Project Number	26.5
Project Title	Windsor Extension - Windsor High School Undercrossing Project
Project Sponsor	Sonoma–Marin Area Rail Transit (SMART)

Project Funding Plan

Project Schedule

Phase	Funding Source	Committed? (Yes/No)	Total Amount (\$1,000s)	Start	End
ENV				Sep-18	Jun-08
	ENV Subtotal				
PSE					Sep-20
	PSE Subtotal		\$ -		
ROW			-		Jan-93
	ROW Subtotal		\$ -		
CON	RM-3	yes	\$ 2,800		May-24 Dec-24
	CON Subtotal		\$ 2,800		
Capital Funding Total			\$ 2,800		



Cash Flow Plan

RM3 Project Number	26.5
Project Title	Windsor Extension – Windsor High School Undercrossing
Project Sponsor	Sonoma–Marin Area Rail Transit (SMART)

Funding Source							Future committed	Total Amount (\$ thousands)
		Prior	2022-23	2023-24	2024-25	2025-26		
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
PSE Subtotal								\$ -
								\$ -
								\$ -
								\$ -
ROW Subtotal								\$ -
RM-3	CON			\$ 2,000	\$ 800			\$ 2,800
								\$ -
								\$ -
								\$ -
								\$ -
CON Subtotal		\$ -	\$ -	\$ 2,000	\$ 800	\$ -	\$ -	\$ 2,800
RM 3 Funding Subtotal		\$ -	\$ -	\$ 2,000	\$ 800	\$ -	\$ -	\$ 2,800
Capital Funding Total		\$ -	\$ -	\$ 2,000	\$ 800	\$ -	\$ -	\$ 2,800