

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 13, 2024

Agenda Item 2b-24-0141

**MTC Resolution Nos. 4404, Revised
Regional Measure 3 (RM3) Policies and Procedures Revisions**

Subject:

Revisions to Regional Measure 3 (RM3) Policies and Procedures (P&Ps) to align language with MTC's Transit-Oriented Communities Policy and Complete Streets Policy, and to introduce board resolution templates for (1) project sponsors when designating an implementing agency and (2) designated implementing agencies when seeking allocations.

Background:

RM3 Overview

Bay Area voters approved Regional Measure 3 (RM3) on June 5, 2018, and on December 19, 2018, the Bay Area Toll Authority (BATA) adopted a toll schedule phasing in the resulting toll increase. The first and second dollars of the toll increase were implemented on January 1, 2019 and January 1, 2022, respectively.

RM3 Capital Program Policies and Procedures Updates

Staff recommend updating the RM3 allocation application package in the RM3 P&Ps Capital Program section (MTC Resolution No. 4404, Revised) to reflect amendments to two incorporated regional policies made since the RM3 P&Ps were first approved—Transit-Oriented Communities Policy and Complete Streets Policy—and to introduce revised RM3 resolution templates. While staff has already been implementing current policies in allocation recommendations and advising project sponsors and implementing agencies on board resolution language, these updates will provide clarification to project sponsors about the required materials when submitting an RM3 allocation request and provide additional support to jurisdictions to comply with these regional policies and carry out the intent of the Senate Bill 595 legislation.

Transit-Oriented Communities Policy

MTC Resolution No. 4530, Revised, sets forth MTC's regional Transit-Oriented Communities (TOC) Policy, which seeks to support the region's transit investments by creating more equitable communities around transit stations and along transit corridors. The TOC Policy applies to areas

within one half mile of existing and planned fixed-guideway transit stops and stations, including regional rail, commuter rail, light-rail transit, bus rapid transit, and ferries. On October 25, 2023, MTC adopted revisions to the TOC policy to clarify what jurisdictions must submit on behalf of project sponsors to demonstrate commitment to meeting TOC compliance when requesting an RM3 capital allocation, depending on the phase and type of the transit capital project. The TOC policy compliance is also required to receive allocations of other regional discretionary capital funding. The recommended updates to the RM3 P&Ps incorporate these clarifications of the TOC policies and requirements as they relate to projects requesting RM3 capital allocations.

Complete Streets Policy

Approved in March 2022, MTC Resolution No. 4493 sets forth MTC's regional policy for the provision of Complete Streets (CS), superseding MTC Resolution No. 3765. This Complete Streets Policy envisions transportation facilities with safer mobility and improved connectivity to community destinations for all road users, and especially for people biking, walking, rolling and taking transit. CS Policy requires that projects with a total project cost of \$250,000 or more applying for regional discretionary transportation funding or endorsement from MTC, such as, but not limited to, the One Bay Area Grant program or the Active Transportation Program, submit a Complete Streets Checklist to help ensure local compliance.

As stated in the RM3 P&P, capital projects must comply, as applicable, with adopted components and future elements of MTC Active Transportation Plan, including the CS Policy. The recommended updated language describing the CS Policy in the RM3 P&Ps provides clarification that policy compliance is required for all projects within the public right of way.

RM3 Resolution Templates

This update recommends the addition of new templates for board resolutions for RM3 project sponsors and implementing agencies. The RM3 Capital Expenditure Plan in the California Streets and Highways Code identifies capital projects and project sponsors. In many cases, more than one project sponsor is listed, and/or the listed sponsor will not serve as the eventual implementing agency (i.e., will not be directly allocated funds for the project). Throughout the first year of approved RM3 allocations, MTC staff has coordinated with project sponsors to

identify a lead agency or implementing agency for projects where the listed sponsor is not the implementing agency, and/or where multiple project sponsors are listed. To standardize this process and continue to ensure that board resolutions accurately capture (1) the delegation of an implementing agency on a listed RM3 project sponsor's behalf and (2) the approval by the implementing agency of the necessary terms and clauses of the Resolution of Project Compliance, staff proposes new board resolution templates for project sponsors to use when designating another agency as the implementing agency and for designated implementing agencies to confirm project compliance. The existing resolution template for the common scenario when a listed project sponsor will be receiving the RM3 allocation and implementing the project itself remains in the RM3 P&P. The three resolution templates can be found in the attached MTC Resolution No. 4404, Revised.

Issues:

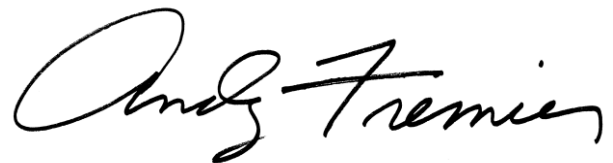
None

Recommendations:

Refer MTC Resolution No. 4404, Revised to the Commission for approval.

Attachments:

- MTC Resolution No. 4404, Revised
 - Attachment A



Andrew B. Fremier

Date: December 18, 2019
Referred by: PAC
Revised: 05/24/23-C
10/25/23-C
11/20/24-C

ABSTRACT

Resolution No. 4404, Revised

This resolution adopts the policies and procedures for the expenditure plan of Regional Measure 3 (RM3), included in Attachment A, *Regional Measure 3 Policies and Procedures* (with attachments).

This resolution was amended on May 24, 2023 to introduce policies and procedures for the RM3 operating program and make adjustments to the policies and procedures for the RM3 capital program.

This resolution was amended on October 25, 2023 to modify the policies and procedures for the RM3 operating program, providing guidance for the ferry program and revising procedures for operating agreements.

This resolution was amended on November 20, 2024 to modify the policies and procedures to update the allocation application process for project sponsors to continue compliance with MTC's Transit-Oriented Communities Policy and Complete Streets Policy, and to introduce revised resolution templates required by MTC to approve RM3 allocation requests.

Additional discussion of this Resolution is available in the Programming and Allocations Committee summary sheets dated December 11, 2019, May 10, 2023, October 11, 2023, and November 13, 2024.

Date: December 18, 2019
Referred By: PAC

RE: Policies and Procedures for Implementation of the Expenditure Plan of Regional Measure 3 (RM3)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4404

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

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

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

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

WHEREAS, on December 19, 2018, the Authority adopted Resolution No. 128 adopting a toll schedule phasing in the toll increase approved pursuant to RM3, effective on January 1, 2019; and

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

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