



Metropolitan Transportation Commission

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, November 17, 2021

9:35 AM

REMOTE

Joint Meeting with the Bay Area Housing Finance Authority (BAHFA)

The Metropolitan Transportation Commission is scheduled to meet jointly with the Bay Area Housing Finance Authority (BAHFA) on Wednesday, November 17, 2021 at 9:35 a.m., in the Bay Area Metro Center (Remotely). In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

The meeting webcast will be available at

<https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/81188017106>

iPhone One-tap: US: +13462487799,,81188017106# or +14086380968,,81188017106#

Join by Telephone (for higher quality, dial a number based on your current location) US:

+1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or

+1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or

+1 312 626 6799 or 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 811 8801 7106

International numbers available: <https://bayareametro.zoom.us/j/81188017106>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "+9". In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

Commission / BAHFA Roster:

Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair), Margaret Abe-Koga, Eddie Ahn, David Canepa, Cindy Chavez, Damon Connolly, Carol Dutra-Vernaci, Dina El-Tawansy*, Victoria Fleming, Dorene M. Giacopini*, Federal D. Glover, Sam Liccardo, Nate Miley, Gina Papan, David Rabbitt, Hillary Ronen, Libby Schaaf, James P. Spering, Amy R. Worth

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

A quorum of this Commission and BAHFA shall be a majority of its voting members (10).

2. Pledge of Allegiance / Acknowledgement of the Flag

3. Compensation Announcement (Clerk)

4. Joint MTC and BAHFA Consent Calendar:

4a. [21-1531](#) MTC Resolution No. 4498, and BAHFA Resolution No. 4 - AB 361 Remote Meetings

Action: Commission Approval, and

BAHFA Approval

Attachments: [4a - 21-1531 - MTC-Reso-4498 AB 361.pdf](#)

[4a - 21-1531 - BAHFA-Reso-4 AB 361.pdf](#)

5. Public Comment / Other Business

6. Adjourn Bay Area Housing Finance Authority and Continue with MTC Agenda

7. Chair's Report (Pedroza)

7a. [21-1532](#) MTC Resolution No. 4494 - Resolution of Appreciation for Ross McKeown on the occasion of his retirement from MTC.

Action: Commission Approval

7b. [21-1390](#) MTC Resolution No. 4489 - Resolution of Appreciation for Randy Rentschler on the occasion of his retirement from MTC.

Action: Commission Approval

8. Policy Advisory Council Report (Randi Kinman)

[21-1576](#) Policy Advisory Council Recommendation

Attachments: [8 - HANDOUT - Policy Advisory Council Recommendations November'22 Brow](#)

9. Executive Director's Report (McMillan)

[21-1577](#) E.D. Report

10. Commissioner Comments

11. Consent Calendar:

11a. [21-1382](#) Minutes of the October 27, 2021 meeting

Action: Commission Approval

Attachments: [11a - 21-1382 - Oct 27 Draft Commission Minutes.pdf](#)

Administration Committee

11b. [21-1319](#) MTC Resolution No. 4173, Revised. Reauthorization of MTC Investment Policy

Action: Commission Approval

Attachments: [11b - 21-1319 - Reso 4173 - Reauthorization of MTC Investment Policy.pdf](#)

11c. [21-1295](#) MTC Resolution No. 4265, Revised - MTC Debt Policy Issuance and Management

Action: Commission Approval

Attachments: [11c - 21-1295 - Reso 4265 - MTC Debt Policy Issuance and Management.pdf](#)
[2e - 21-1295 - Reso 4265 - MTC Debt Policy Issuance and Management.pdf](#)

Programming and Allocations Committee

11d. [21-1294](#) MTC Resolution Nos. 4465, Revised; and 4466, Revised. Allocation of \$69 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans, Vacaville, and VTA.

Action: Commission Approval

Attachments: [11d - 21-1294 - Resos 4465-4466 TDA STA Allocations.pdf](#)

11e. [21-1324](#) MTC Resolution No. 4486, FY2021-22 STA State of Good Repair Allocations

Action: Commission Approval

Attachments: [11e - 21-1324 - Reso 4486 State of Good Repair Allocations.pdf](#)

- 11f. [21-1413](#) MTC Resolution No. 4202, Revised. Revisions to the One Bay Area Grant (OBAG 2) program, including redirecting \$948,000 within the San Mateo County program.

Action: Commission Approval

Attachments: [11f - 21-1413 - Reso 4202 OBAG2 Revisions.pdf](#)

Committee Reports

12. Legislation Committee (Liccardo)

- 12a. [21-1170](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends

Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

Action: MTC Commission Approval

Attachments: [12a - 21-1170 - Reso 3931 Policy Advisory Council Update to Legis Committee.](#)

13. Public Comment / Other Business

14. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. remotely and by webcast on ***the third Wednesday, December 15, 2021.*** Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Commission meetings by completing a request-to-speak card (available from staff) and passing it to the Commission secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Commission may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Commission meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Título VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Commission members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Commission. Actions recommended by staff are subject to change by the Commission.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1531 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 11/4/2021 **In control:** Metropolitan Transportation Commission

On agenda: 11/17/2021 **Final action:**

Title: MTC Resolution No. 4498, and BAHFA Resolution No. 4 - AB 361 Remote Meetings

Sponsors:

Indexes:

Code sections:

Attachments: [4a - 21-1531 - MTC-Reso-4498 AB 361.pdf](#)
[4a - 21-1531 - BAHFA-Reso-4 AB 361.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 4498, and BAHFA Resolution No. 4 - AB 361 Remote Meetings

Recommended Action:
Commission Approval, and
BAHFA Approval

Metropolitan Transportation Commission

November 17, 2021

Agenda Item 4a - 21-1531

Resolution No. 4498 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of Resolution No. 4498 Regarding Remote Meetings Pursuant to AB 361

Background:

The recently-enacted bill, AB 361, provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings retroactive to Oct. 1 of this year and prospectively for 30 days following the Commission's action.

Issues:

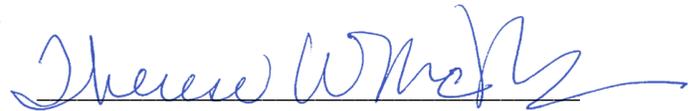
Findings in support of Resolution No. 4498 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Commission is requested to adopt Resolution No. 4498, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: MTC Resolution No. 4498



Therese W. McMillan

Date: November 17, 2021
Referred By: Commission

ABSTRACT

Resolution No. 4498

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Metropolitan Transportation Commission (MTC), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the Metropolitan Transportation Commission Summary Sheet dated November 17, 2021.

Date: November 17, 2021
Referred By: Commission

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Metropolitan Transportation Commission (MTC), With its Related Entities and Committees, During the COVID-19 State of Emergency

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4498

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Metropolitan Transportation Commission (MTC) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, although applicable social distancing requirements are currently no longer in effect, the San Francisco Public Health Department continues to recommend measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, in the last few months, the Delta variant has surged in the United States and become the predominant COVID-19 variant, the Delta variant is believed by medical experts to be twice as contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about the Delta variant and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date until later in the year or next year; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Metropolitan Transportation Commission hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of MTC, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

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 November 17, 2021

Bay Area Housing Finance Authority
BAHFA

November 17, 2021

Agenda Item 4a - 21-1531

BAHFA Resolution No. 4 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of BAHFA Resolution No. 4 Regarding Remote Meetings Pursuant to AB 361

Background:

The recently-enacted bill, AB 361, provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings retroactive to Oct. 1 of this year and prospectively for 30 days following the Bay Area Housing Finance Authority's action.

Issues:

Findings in support of Resolution No. 4 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Bay Area Housing Finance Authority is requested to adopt Resolution No. 4, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: BAHFA Resolution No. 4



Therese W. McMillan

Date: November 17, 2021
Referred By: BAHFA

ABSTRACT

Resolution No. 004

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Bay Area Housing Finance Authority (BAHFA), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the BAHFA Summary Sheet dated November 17, 2021.

Date: November 17, 2021
Referred By: BAHFA

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Bay Area Housing Finance Authority (BAHFA), With its Related Entities and Committees, During the COVID-19 State of Emergency

BAY AREA HOUSING FINANCE AUTHORITY
RESOLUTION NO. 004

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Bay Area Housing Finance Authority (BAHFA) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, although applicable social distancing requirements are currently no longer in effect, the San Francisco Public Health Department continues to recommend measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, in the last few months, the Delta variant has surged in the United States and become the predominant COVID-19 variant, the Delta variant is believed by medical experts to be twice as contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about the Delta variant and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date until later in the year or next year; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Bay Area Housing Finance Authority hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of BATA, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

BAY AREA HOUSING FINANCE AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the Bay Area Housing Finance Authority at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on November 17, 2021



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1532 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 11/4/2021 **In control:** Metropolitan Transportation Commission

On agenda: 11/17/2021 **Final action:**

Title: MTC Resolution No. 4494 - Resolution of Appreciation for Ross McKeown on the occasion of his retirement from MTC.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4494 - Resolution of Appreciation for Ross McKeown on the occasion of his retirement from MTC.

Recommended Action:

Commission Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1390 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 10/11/2021 **In control:** Metropolitan Transportation Commission
On agenda: 11/17/2021 **Final action:**
Title: MTC Resolution No. 4489 - Resolution of Appreciation for Randy Rentschler on the occasion of his retirement from MTC.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 4489 - Resolution of Appreciation for Randy Rentschler on the occasion of his retirement from MTC.

Recommended Action:

Commission Approval



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1576 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 11/12/2021 **In control:** Metropolitan Transportation Commission
On agenda: 11/17/2021 **Final action:**
Title: Policy Advisory Council Recommendation

Sponsors:

Indexes:

Code sections:

Attachments: [8 - HANDOUT - Policy Advisory Council Recommendations November'22 Brown Act Reforms.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Policy Advisory Council Recommendation



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1577 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 11/12/2021 **In control:** Metropolitan Transportation Commission
On agenda: 11/17/2021 **Final action:**
Title: E.D. Report

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Subject:
E.D. Report



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1382 **Version:** 1 **Name:**
Type: Minutes **Status:** Commission Approval
File created: 10/7/2021 **In control:** Metropolitan Transportation Commission
On agenda: 11/17/2021 **Final action:**
Title: Minutes of the October 27, 2021 meeting
Sponsors:
Indexes:
Code sections:
Attachments: [11a - 21-1382 - Oct 27 Draft Commission Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of the October 27, 2021 meeting

Recommended Action:
Commission Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, October 27, 2021

10:05 AM

REMOTE (In person option available)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering, and Commissioner Worth

Absent: 1 - Commissioner Schaaf

Non-Voting Commissioners Present: Commissioner Giacomini

Non-Voting Commissioners Absent: Commissioner El-Tawansy

2. Pledge of Allegiance / Acknowledgement of the Flag

3. Compensation Announcements (Clerk)

4. Joint MTC and BAHFA Consent Calendar:

4a. [21-1462](#) MTC Resolution No. 4492, and BAHFA Resolution No. 3 - AB 361 Remote Meetings

Action: Commission Approval, and

BAHFA Approval

Commissioner Ahn was absent during the vote for MTC Resolution No. 4492.

Upon the motion by Commissioner Papan and the second by Commissioner Spering, the Commission unanimously adopted MTC Resolution No. 4492. The motion carried by the following vote:

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Ahn and Commissioner Schaaf

Commissioner Ahn returned during the vote for BAHFA Resolution No. 003.

Upon the motion by Commissioner Papan and the second by Commissioner Sperring, the Commission unanimously adopted BAHFA Resolution No. 003. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Sperring and Commissioner Worth

Absent: 1 - Commissioner Schaaf

5. Public Comment / Other Business

6. Adjourn Bay Area Housing Finance Authority

Continue with MTC Agenda:

7. Chair’s Report (Pedroza)

7a. [21-1421](#) MTC Resolution No. 4491 - Resolution of Appreciation for Benjamin Espinosa on the occasion of his retirement from MTC.

Action: Commission Approval

Upon the motion by Commissioner Sperring and the second by Commissioner Rabbitt, the Commission unanimously adopted MTC Resolution No. 4491. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Sperring and Commissioner Worth

Absent: 1 - Commissioner Schaaf

8. Policy Advisory Council Report (Randi Kinman)

9. Executive Director’s Report (McMillan)

Roland Lebrun was called to speak.

[21-1241](#) E.D. Report

Roland Lebrun was called to speak.

10. Commissioner Comments

11. Consent Calendar:

Upon the motion by Commissioner Dutra-Vernaci and the second by Commissioner Glover, the Consent Calendar was unanimously approved by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Schaaf

11a. [21-1182](#) Minutes of the September 22, 2021 meeting

Action: Commission Approval

Administration Committee

11b. [21-1154](#) Funding Agreements - Priority Conservation Area (PCA) Grant program: (1) Alameda County Transportation Commission (\$600,000) funding match toward PCA award for West Oakland Environmental Indicators Project for Adapt Oakland: Urban Greening in West Oakland project; and (2) funding agreement with West Oakland Environmental Indicators Project (WOEIP) for a total of \$900,000 to fund the Adapt Oakland: Urban Greening in West Oakland project.

Action: Commission Approval

Presenter: Vijay Kesavan

11c. [21-1024](#) MTC Resolution No. 4458, Revised FY 2021-22 Overall Work Program (OWP), Amendment No.1

A request that the Committee refer MTC Resolution No. 4458, Revised, which would amend the MTC FY 2021-22 Overall Work Program (OWP), to include new grant awards as well as certain revisions to the scope of some work elements as well as OWP budget shifts within work elements, to the Commission for approval.

Action: Commission Approval

Presenter: Brian Mayhew

Programming and Allocations Committee

- 11d.** [21-1145](#) MTC Resolution Nos. 4465, Revised; and 4466, Revised. Allocation of \$34 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to nine operators and Solano Transportation Authority to support transit operations in the region.

Action: Commission Approval

Presenter: Cheryl Chi

- 11e.** [21-1146](#) MTC Resolution No. 3664, Revised. Regional Measure 2 (RM2) Project 32: Allocation of \$150,000 in RM2 funds to the Livermore Amador Valley Transit Authority (LAVTA) for the Shared Autonomous Vehicle Project.

Action: Commission Approval

Presenter: Anne Spevack

Committee Reports

12. Programming and Allocations Committee (Rabbitt)

- 12a.** [21-1021](#) MTC Resolution No. 4450, Revised. FY2021-22 Fund Estimate.

Updates the Fund Estimate to reflect actual FY2020-21 revenue for the State Transit Assistance (STA) and State of Good Repair (SGR) programs and revises FY2021-22 revenue estimates.

Action: Commission Approval

Presenter: Terence Lee

Upon the motion by Commissioner Rabbitt and the second by Commissioner Papan, the Commission unanimously adopted MTC Resolution No. 4450, Revised. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Schaaf

13. Commission Approval

- 13a. [21-1352](#) MTC Resolution No. 4481, Revised - American Rescue Plan Act Phase 2 Programming Recommendation

Staff will provide proposed programming amounts for remaining American Rescue Plan Act funds for Bay Area transit operators and MTC.

Action: Commission Approval

Presenter: Theresa Romell

A written letter of support was received from Various Transit Operators.

The following members of the public were called to speak: Jeffrey Tumlin of SMFTA, Roland Lebrun, and Zack Deutsch-Gross of San Francisco Transit Riders Association.

Upon the motion by Commissioner Spering and the second by Vice Chair Josefowitz, the Commission adopted MTC Resolution No. 4481, Revised. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Nay: 3 - Commissioner Abe-Koga, Commissioner Chavez and Commissioner Liccardo

Absent: 1 - Commissioner Schaaf

14. Public Comment / Other Business

[21-1444](#) Public Comment

15. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. remotely and by webcast on *the third Wednesday, November 17, 2021.*** Any changes to the schedule will be duly noticed to the public.**



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1319 **Version:** 1 **Name:**

Type: Contract **Status:** Commission Approval

File created: 9/29/2021 **In control:** Administration Committee

On agenda: 11/10/2021 **Final action:**

Title: MTC Resolution No. 4173, Revised. Reauthorization of MTC Investment Policy

Sponsors:

Indexes:

Code sections:

Attachments: [11b - 21-1319 - Reso 4173 - Reauthorization of MTC Investment Policy.pdf](#)
[2d - 21-1319 - Reso 4173 - Reauthorization of MTC Investment Policy.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 4173, Revised. Reauthorization of MTC Investment Policy

Presenter:
Brian Mayhew

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Administration Committee**

November 10, 2021

Agenda Item 2d - 21-1319

MTC Resolution No. 4173, Revised – Reauthorization of MTC Investment Policy

Subject:

Staff requests that the Committee authorize the referral of MTC Resolution No. 4173, Revised to the Commission for the annual reauthorization of the MTC Statement of Investment Policy.

Background:

The Statement of Investment Policy (“Policy”) governs the investment of temporarily idle funds for MTC and all entities managed under MTC. The policy establishes rules and procedures for the administration of all funds, including:

- Permitted Investments (Section II) – follows state law for eligible investments with local exceptions for specifically prohibited investments (Section III)
- Fund and Liquidity Levels (Section VI) sets minimum liquidity rules for all funds under management
- Brokerage Firms (Section VII) – establishes minimum credit and asset standards for brokers trading for MTC
- Safekeeping (Section X) – establishes requirements that all securities shall be maintained in safekeeping “trust” independent of all brokers

The Policy also includes requirements for audit of internal controls, investment reports on a quarterly basis at minimum as well as signature controls and the requirement for annual review and approval by the Commission. In addition, broker dealer firms are required to meet all listed financial and credit standards to be eligible to work with the Agency.

The Policy is subject to review annually. There are no proposed changes to the Policy as adopted by the Committee last year.

Issues:

None identified.

Recommendations:

Refer MTC Resolution No. 4173, Revised to the Commission for reauthorization.

Attachments:

- MTC Resolution No. 4173, Revised, MTC Investment Policy



Therese W. McMillan

Date: February 25, 2015
W.I.: 15.2.1
Referred by: Admin. Committee
Revised: 02/24/16-C 01/25/17-C
06/28/17-C 03/28/18-C
03/27/19-C 11/20/19-C
12/16/20-C 11/17/21-C

ABSTRACT

Resolution No. 4173, Revised

This resolution authorizes the establishment of a new Statement of Investment Policy for the management of MTC funds. This resolution also accepts administrative responsibility for management of the funds of the MTC Service Authority for Freeways and Expressways (SAFE), the Bay Area Toll Authority (BATA), the Bay Area Infrastructure Financing Authority (BAIFA) and the Bay Area Headquarters Authority (BAHA), as delegated to MTC by MTC SAFE, BATA, BAIFA and BAHA; and for the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for which MTC is accepting administrative responsibility for management of funds, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG, dated May 30, 2017.

This resolution supersedes MTC Resolution No. 4115 and any other MTC resolutions to the extent that they may conflict with this policy.

Attachment A to this resolution was amended February 24, 2016 to renew the Statement of Investment Policy.

Attachment A to this resolution was amended January 25, 2017 to change the Statement of Investment Policy.

This resolution was revised on June 28, 2017 to add ABAG to the Statement of Investment Policy, and Attachment A to this resolution was amended June 28, 2017 to change the Statement of Investment Policy.

Attachment A to this resolution was amended on March 28, 2018 to renew the Statement of Investment Policy.

Attachment A to this resolution was amended on March 27, 2019 to renew the Statement of Investment Policy.

Attachment A to this resolution was amended on November 20, 2019 to change the Statement of Investment Policy to include Bond Repurchase Accounts.

Attachment A to this resolution was amended on December 16, 2020 to renew the Statement of Investment Policy.

Attachment A to this resolution was amended on November 17, 2021 to renew the Statement of Investment Policy.

Further discussion of these amendments is contained in the Executive Director's memoranda to the Administration Committee dated February 3, 2015, February 3, 2016, January 4, 2017, February 28, 2018 and February 27, 2019, June 7, 2017 and the Administration Committee Summary Sheets dated November 13, 2019, December 9, 2020, and November 10, 2021.

Date: February 25, 2015
W.I.: 15.2.1
Referred by: Admin. Committee
Revised: 06/28/17-C

RE: Establishment of a Statement of Investment Policy.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4173

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Authority for the San Francisco Bay Area pursuant to Government Code §§ 66500 et seq.; and

WHEREAS, the MTC has the responsibility to manage funds received in accordance with the provisions of Government Code §§ 53600 et seq. and a Statement of Investment Policy adopted pursuant to those statutory provisions; and

WHEREAS, the MTC Service Authority for Freeways and Expressways (MTC SAFE), created pursuant to Streets and Highways Code §§ 2250-2556; the Bay Area Toll Authority (BATA), created pursuant to Streets & Highways Code §§ 30950 et seq.; the Bay Area Headquarters Authority (BAHA), created pursuant to a Joint Exercise of Powers Agreement between MTC and BATA dated September 28, 2011, and the Bay Area Infrastructure Financing Authority (BAIFA) created pursuant to the joint exercise of powers between MTC and BATA dated August 1, 2006 have requested MTC to assume administrative responsibility for MTC SAFE, BATA, BAHA and BAIFA funds; and

WHEREAS, MTC is accepting administrative responsibility for the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for management of funds, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG, dated May 30, 2017; and

WHEREAS, MTC intends to manage all funds for which it is responsible pursuant to a single comprehensive investment policy; and

WHEREAS, the ABAG Administrative Committee has authorized MTC to open new and manage or close existing accounts with banks, financial institutions, and government pooled investment funds as needed in order to manage ABAG's and all related entities cash and investments under MTC signatures utilizing ABAG's and all related entities' tax identification numbers; now therefore, be it

RESOLVED, that MTC hereby adopts the Statement of Investment Policy as set forth in Attachment A to this Resolution, attached hereto and incorporated herein as though set forth at length; and, be it further

RESOLVED, Attachment A shall be applicable to all funds delegated to MTC; and, be it further

RESOLVED, that the Resolution No. 4173 supersedes MTC Resolution No. 4115; and, be it further

RESOLVED, that MTC's Executive Director or Treasurer or both, as applicable, are directed to manage MTC funds and funds delegated to MTC's administrative responsibility in conformance with said policy; and, be it further

RESOLVED, that this policy shall remain in effect unless modified by MTC; and, be it further

RESOLVED, that this Resolution shall take precedent over any prior MTC Resolutions to the extent that they may conflict herewith or with Attachment A.

METROPOLITAN TRANSPORTATION COMMISSION



Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on February 25, 2015.

Date: February 25, 2015
W.I.: 15.2.1
Referred by: Admin. Committee
Revised: 02/24/16-C 01/25/17-C
06/28/17-C 03/28/18-C
03/27/19-C 11/20/19-C
12/16/20-C 11/17/21-C

Attachment A
Resolution No. 4173
Page 1 of 6

Statement of Investment Policy

The Treasurer of the Metropolitan Transportation Commission (MTC) shall invest all funds over which MTC is administratively responsible, including those of MTC, MTC Service Authority for Freeways and Expressways (SAFE), the Bay Area Toll Authority (BATA), the Regional Administrative Facility Corporation (RAFC), the Bay Area Headquarters Authority (BAHA) the Bay Area Infrastructure Financing Authority (BAIFA), and the Association of Bay Area Governments (ABAG) a separate joint powers authority, and its affiliated entities, for which MTC is accepting administrative responsibility for management of funds, effective July 1, 2017 pursuant to a contract for services dated May 30, 2017 in accordance with the provisions of §§ 53600 et seq. of the Government Code and the provisions of this investment policy.

I. Prudent Investor Rule:

Funds shall be managed under the “prudent investor standard” which requires all agencies investing public funds to be trustees of those funds, and therefore, fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. All funds shall be invested within the following objectives, in order of priority:

1. Safety: Preservation and safeguard of capital.
2. Liquidity: Funds shall be invested in a manner consistent with operating needs of the agency.
3. Yield: Funds shall be invested to earn a secured and safe return without compromising the objectives of safety and liquidity.

II. Permitted Investments:

Investments authorized under this policy shall be limited to:

- A. United States treasury notes, bonds or bills for which the full faith and credit of the United States are pledged for the payment of principal and interest.

- B. Bonds, notes, bills, warrants or obligations issued by an agency of the United States.
- C. Commercial Paper of “prime” quality of the highest ranking or of the highest letter and numerical rating provided by Moody’s Investor Services or Standard & Poor’s Corporation.

Eligible paper is further limited to issuing corporations organized and operating in the United States and having total assets in excess of five hundred million dollars (\$500,000,000) and having an “A” or higher rating for the issuers’ debt, other than commercial paper, if any, as provided by Moody’s Investor Services or Standard & Poor’s Corporation or the equivalent of other nationally recognized rating services that may be allowed by statute. Purchases shall not exceed 180 days maturity, 10% of the outstanding commercial paper of a single issuing corporation and 10% of the agency’s surplus money.
- D. Negotiable certificates of deposit issued by a nationally or State chartered bank, not to exceed 10% of surplus agency funds.
- E. Medium-Term notes of a maximum five years maturity issued by corporations meeting criteria in Section C, not to exceed 10% of agency’s surplus funds.
- F. Mutual funds registered with the Securities and Exchange Commission, having attained the highest letter and numerical ranking by at least two Nationally recognized statistical rating organizations. Such investments shall not exceed 20% of surplus funds, with no more than 10% invested in any single mutual fund.
- G. Local Agency Investment Fund (LAIF) as authorized by Government Code §§ 16429.1.
- H. The Alameda County Treasury local agency investment fund authorized under Government Code §§ 53684.
- I. Repurchase agreements collateralized by securities of the United States Government or an agency of the United States Government.
- J. Municipal Obligations issued by State or Local agencies:
 - a) Such bonds can include the obligations of the Bay Area Toll Authority and the Bay Area Infrastructure Financing Authority;
 - b) The maturity does not exceed 5 years from the date of purchase;
 - c) With regards to Municipal Obligations in the form of variable rate demand bonds, the obligations shall have mandatory investor tender rights supported by a third-party liquidity facility from a financial institution with short-term ratings of at least A-1 by S&P or P-1 by

Moody's. The maturity of these bonds shall be equivalent to the investor's tender option supported by the liquidity facility.

- K. All other investments authorized under §§ 53600 et seq. of the California Government Code as appropriate for public fund investments and not specifically prohibited by this policy.

III. Prohibited Investments:

In addition to any prohibited investments listed in California Code §§ 53601.6 and 53631.5, the following are specifically prohibited:

- A. Reverse repurchase agreements.
- B. Financial futures.
- C. Option contracts.
- D. Mortgage interest strips.
- E. Inverse floaters.
- F. Securities lending.
- G. Repurchase agreements purchased for "yield enhancement" purposes and not required for banking and liquidity purposes.
- H. Any investment that fails to meet credit or portfolio limits at the time of investment.

IV. Sales Prior to Maturity:

- A. The primary strategy of this investment policy is to "buy and hold" securities to maturity, however, a security may be sold prior to maturity if the sale is necessary to avoid further erosion of market value or meet operational or project liquidity needs. All sales prior to maturity shall be detailed in the investment report.
- B. A security whose market or credit quality falls outside the investment policy parameters after purchase may be held to maturity without violation of this policy provided the fact is disclosed in the investment report.

V. Investment Pools:

Investment pools operated by LAIF and Alameda County as permitted investments under Section II of this policy, whose portfolios contain specific securities not permitted under this policy, but none-the-less permitted under the law or approved investment policy of the respective pool, are permitted under this policy. The make-up of such portfolios shall be submitted as part of the investment report at least quarterly.

VI. Fund and Liquidity Levels:

- A. Funds for MTC, SAFE and BATA operating requirements shall be commingled for investment purposes. The liquidity level shall be maintained in an appropriate manner but not less than:

30	90	1	Maximum
<u>Days</u>	<u>Days</u>	<u>Year</u>	<u>Weighted</u>
10%	15%	30%	<u>Maturity</u>
			5 years

The percentages within the 30 and 90 day counts are cumulative towards the one year minimum.

B. Reserve Funds:

Specifically designated reserve funds may have a maximum maturity of 40 years or less, provided each fund is clearly identified in the investment report.

- C. All funds under management shall be combined for the purpose of evaluating credit and portfolio limits.

VII. Brokerage Firms:

Only firms meeting all of the following criteria shall be authorized to buy or sell securities:

- A. Firms licensed to conduct business as a broker-dealer under § 25004 of the Corporations Code, licensed and registered under the Securities Exchange Commission, a Federally or State chartered bank, or designated a “primary dealer” by the Federal Reserve Bank and with offices located in California.
- B. The firm must have a minimum rating of “A-” from a nationally recognized credit rating agency.
- C. Corporate assets or assets under management of at least fifty million dollars (\$50,000,000).
- D. Provided written certification that they received a copy of the approved policy.

VIII. Bond Repurchase Accounts

MTC will use licensed brokerage firms for the purpose of purchasing BATA bonds with the intent of retiring its debt when such debt is offered for sale in the secondary market. Such brokerage firms are for the specific purpose of purchasing and transferring BATA bonds to BATA and as such will be exempt from the requirements of Section VII, except that all firms shall be licensed brokers.

IX. Investment Management Services:

Only firms meeting all of the following criteria shall be authorized to manage investment funds.

- A. Firms licensed to conduct business as an investment advisor under § 25009 of the Corporations Code, licensed and registered under the Securities Exchange Commission.
- B. Firms licensed to conduct business as a Registered Investment Advisor under the Investment Advisors Act of 1940.
- C. Firms must have assets under management of at least five billion dollars (\$5,000,000,000) and the investment fund must be rated at least an “A”.
- D. Firms must provide certification of an annual audit or certification of internal cash controls (i.e. SAS 70 or equivalent) satisfactory to the Chief Financial Officer.
- E. Firms must have a minimum of 10 years experience of investment advisory experience in the public sector.
- F. Firms must carry errors and omission insurance of at least ten million dollars (\$10,000,000).
- G. Firms must provide written certification that they meet all of the above criteria.

X. Safekeeping:

- A. All securities shall be maintained in a safekeeping account, independent from all broker accounts, with securities held in the name of the agency. Banks with independent “trust” or safekeeping departments shall qualify as independent safekeeping accounts.
- B. Safekeeping accounts shall be maintained with firms or banks with at least fifty million dollars (\$50,000,000) in trust and safekeeping accounts under management and a minimum rating in the “A” category from a nationally recognized rating service.
- C. The Treasurer or assignee designated by the MTC Executive Director is authorized to sign documents providing for the sale and purchase of securities, as well as all documents required to provide for safekeeping and trust.

XI. Internal Controls:

The Treasurer shall be responsible for developing a system of internal controls that maintain appropriate records of all transactions as well as individual fund ownership of all investments and interest earnings and shall also be subject to the annual independent audit process.

XII. Investment Reports:

In accordance with § 53646 of the Government Code, at least quarterly, the Treasurer shall submit an investment report to the Executive Director who shall forward the report to all entities whose funds are subject to this policy. The report shall detail all

securities, par value, market value, maturity, liquidity and credit limit thresholds, as well as any sales prior to maturity, any securities no longer meeting policy standards, and any investment policy violations. Portfolio detail for LAIF, Alameda County or other authorized Government Investment Pools, shall be included on a quarterly basis.

XIII. Financial Accounts:

Both the Executive Director and the Treasurer are required to sign documents to open financial accounts with banks, financial institutions and government pooled investment funds as needed in order to manage MTC's investments as described within this investment policy; provided that all such accounts meet policy standards.

XIV. Authorized Signers

The following positions are authorized to sign on all accounts:

Executive Director
Deputy Executive Directors – all
Chief Financial Officer
Deputy Treasurer

At least two signatures are required to transfer funds out of such accounts.

XV. Renewal:

This investment policy shall be subject to review annually.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1295 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 9/27/2021 **In control:** Administration Committee

On agenda: 11/10/2021 **Final action:**

Title: MTC Resolution No. 4265, Revised - MTC Debt Policy Issuance and Management

Sponsors:

Indexes:

Code sections:

Attachments: [11c - 21-1295 - Reso 4265 - MTC Debt Policy Issuance and Management.pdf](#)
[2e - 21-1295 - Reso 4265 - MTC Debt Policy Issuance and Management.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 4265, Revised - MTC Debt Policy Issuance and Management

Presenter:
Brian Mayhew (Darren Wong)

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Administration Committee**

November 10, 2021

Agenda Item 2e - 21-1295

MTC Resolution No. 4265, Revised – MTC Debt Policy Issuance and Management

Subject:

Staff requests that the Committee authorize the referral of MTC Resolution No. 4265, Revised to the Commission for the renewal of the Debt Policy for MTC and all MTC affiliated entities as well as ABAG which is administered under the Contract for Services.

Background:

The Debt Policy establishes the rules and limitations for all debt issued by MTC or any affiliated entity as well as ABAG. Prior to January 2017, the Debt Policy was primarily a BATA concern. However, in light of MTC now covering ABAG and ABAG FAN debt pursuant to the Contract for Services as well as preparing a federal funding securitization through BAIFA, the Debt Policy has shifted to the MTC Administration Committee.

The criteria listed in Resolution No. 4265, Revised are quite extensive and specifically relate to the authorization to issue debt. The provisions include:

- Issuance only by approved resolution
- Complete detail on total issuance and debt costs
- Complete capital financing plan
- Criteria for the use of credit enhancements
- Credit criteria for use of structured products (Derivatives)
- Analysis of debt capacity
- Refunding requirements of minimum 3% net present value for savings

There are also specific requirements for internal controls, administration, and audit. The Debt Policy complies with state law and all state reporting requirements.

Resolution No. 4265, Revised, requires review and approval on an annual basis. There are no changes to the policy as adopted by the Commission last year.

Additionally, BATA expects to amend its existing International Swaps and Derivatives Association (ISDA) Agreements via the ISDA Fallback Rate Protocol (once published) to

address the potential discontinuance of the London Interbank Offered Rate (LIBOR) at the end of 2021. This is provided for informational purposes only and has no impact on the policy.

Issues:

None identified.

Recommendations:

Refer MTC Resolution No. 4265, Revised to the Commission for approval.

Attachments:

- MTC Resolution No. 4265, Revised, MTC Debt Policy



Therese W. McMillan

Date: January 25, 2017

W.I.:

Referred by: Admin. Committee

Revised: 06/28/17-C 03/28/18-C
 03/27/19-C 11/20/19-C
 12/16/20-C 11/17/21-C

ABSTRACT

MTC Resolution No. 4265, Revised

This resolution authorizes the establishment of a Debt Policy with respect to the issuance and management of debts for the Metropolitan Transportation Commission (MTC) and its affiliated entities, including but not limited to the Bay Area Toll Authority (BATA) and the Bay Area Infrastructure Financing Authority (BAIFA), as delegated to MTC, and for the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for which MTC is providing administration of debts and other obligations effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017.

This resolution was revised on June 28, 2017 to add ABAG to the MTC Debt Policy.

Attachment A to this Resolution is being submitted for the Commission's annual approval on March 28, 2018 as stipulated in the "Objectives" section of the attachment.

Attachment A to this Resolution is being submitted for the Commission's annual approval on March 27, 2019 as stipulated in the "Objectives" section of the attachment.

This resolution was revised on November 20, 2019 to update language and regulatory requirements.

Attachment A to this Resolution is being submitted for the Commission's annual approval on December 16, 2020 as stipulated in the "Objectives" section of the attachment.

Attachment A to this Resolution is being submitted for the Commission's annual approval on November 17, 2021 as stipulated in the "Objectives" section of the attachment.

Further discussion of this amendment is contained in the Deputy Executive Director's memoranda to the Administration Committee dated June 7, 2017, February 28, 2018, February 27, 2019, November 13, 2019, December 9, 2020 and the Administration Committee Summary Sheet dated November 10, 2021.

Date: January 25, 2017
W.I.:
Referred by: Admin. Committee
Revised: 06/28/17-C

Re: Establishment of a Comprehensive MTC Debt Policy

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4265, REVISED

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Authority for the San Francisco Bay Area pursuant to Government Code §§ 66500 et seq.; and

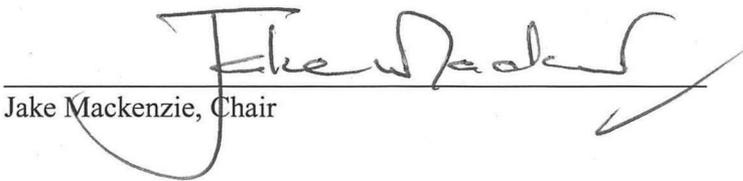
WHEREAS, the Bay Area Toll Authority (BATA), created pursuant to Streets & Highways Code §§ 30950 et seq. and the Bay Area Infrastructure Financing Authority (BAIFA) created pursuant to the joint exercise of powers agreement between MTC and BATA dated August 1, 2006 as amended, have requested MTC to assume administrative responsibility for BATA and BAIFA debts; and

WHEREAS, the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for which MTC is providing administration of debts and other obligations, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017; and

WHEREAS, MTC intends to administer all debts for which it is responsible pursuant to a single comprehensive debt policy; now, therefore, be it

RESOLVED, that MTC hereby adopts MTC Resolution No. 4265, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length, which establishes MTC's debt policy with respect to the issuance and management of MTC debt.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution, revising and superseding the resolution approved on January 25, 2017, was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on June 28, 2017.

Date: January 25, 2017
W.I.:
Referred by: Admin. Committee
Revised: 06/28/17-C 03/28/18-C
03/27/19-C 11/20/19-C
12/16/20-C 11/17/21-C

Attachment A
MTC Resolution No. 4265
Page 1 of 8

METROPOLITAN TRANSPORTATION COMMISSION DEBT POLICY

Introduction

The purpose of the Debt Policy is to establish guidelines for the issuance and financial management of debts for which the Metropolitan Transportation Commission (MTC) is administratively responsible, including those of the Bay Area Toll Authority (BATA), the Bay Area Infrastructure Financing Authority (BAIFA). This Debt Policy is intended to guide decisions related to any debt issued by MTC or its affiliated entities. This Debt Policy is also intended to guide decisions related to any debt issued by the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities for which MTC is administering debts and other obligations, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017. Collectively, these entities comprise MTC as defined in this Debt Policy. The MTC recognizes that cost-effective access to the capital markets is highly dependent on sound management of the MTC's debt program.

Objectives

The purpose of the Debt Policy is to assist the MTC in meeting the following objectives:

- Issue debt in accordance with established guidelines
- Complete an approved capital financing plan
- Timely repayment of debt
- Maintain the highest of ratings that are consistent with the financing plan
- Ensure compliance with applicable State and Federal laws
- Assure access to credit markets
- Preserve financial flexibility

The MTC's Debt Policy shall be reviewed and updated at least annually and presented to the Board for approval. The Debt Policy requires that the MTC's Board specifically authorize each debt financing by resolution approved by the Board.

I. Long-Term Debt Financing

- A. The MTC will use the following criteria to evaluate pay-as-you-go versus long-term debt financing in funding capital projects.

- 1) Factors that favor pay-as-you-go:
 - a) Current revenues and adequate fund balances are available
 - b) Project phasing is feasible
 - c) Debt levels could adversely affect the MTC's or its affiliated entities' credit rating
 - d) Market conditions are unstable or present difficulties in marketing long-term debt
- 2) The MTC will consider the use of long-term debt financing for capital projects under, but not limited to, the following circumstances:
 - a) When the project's useful life will equal or exceed the term of the financing.
 - b) Revenues available for debt service are considered self-sufficient and reliable so that long-term financing can be marketed with an appropriate credit rating.
 - c) The project that is being considered will not adversely affect the MTC's or its affiliated entities' credit rating.
 - d) Market conditions present favorable interest rates.
 - e) High priority projects that result from regional or economic conditions that require use of long-term debt.
- 3) Each debt issuance for the financing of capital projects shall be approved by resolution specifying the following:
 - a) The security pledge for repayment of debt service
 - b) Total principal-- amount of the bonds.
 - c) Maximum interest rate, not to exceed 12%.
 - d) Total expected principal and interest payments, and such estimates may be set forth in a staff report accompanying or relating to the resolution approving the debt issuance.
 - e) All fees associated with the issuance. Fees may be in the form of a discount rate applied to the bond issue or direct payments of the fees.
 - f) Whether bonds are to be fixed or variable rate.
 - g) Any other special terms or conditions, including forward or delayed issuance and delivery of bonds.

- B. The MTC may use debt in special circumstances for projects other than long-term capital projects. Long-term debt will not be used to fund any ongoing operational costs.
- C. The MTC may use lease financing as an appropriate means of financing capital facilities, projects and certain equipment. The useful life of the capital equipment, the terms and conditions of the lease and budget flexibility will be evaluated prior to the implementation of the lease obligation. Efforts will be made to fund capital on a pay-as-you-go basis where feasible.
- D. No debt shall be issued for the financing of capital projects without approval of the resolution by the Board.

Capital Financing Plan

A Capital Financing Plan will be prepared for each long-term debt financing. Analysis must include, but is not limited to, the following requirements:

- a) Description and availability of all sources of funds
- b) Timing and priority of capital projects
- c) A financing plan which includes, but is not limited to:
 - 1) Debt service coverage
 - 2) Debt covenants
- d) Debt service requirements
- e) Effect of projects on debt capacity
- f) Measurable objectives or goals
- g) Conformance with California Government Code Section 58521.1

Debt Service Reserve Fund

A Debt Service Reserve Fund (DSRF) will not be required on a financing if there is no negative or additional cost implications to the financing. An analysis and financing plan will be prepared for each debt financing which analyzes the optimal method and level of funding the DSRF and selecting the appropriate bond insurer to achieve project objectives and support debt service. If funded, the reserve will be funded through cash on hand, bond proceeds or a DSRF surety policy provided by a rated bond insurer.

II. Short-Term Financing

Short-term borrowing may be utilized for any purpose for which long-term debt may be issued. Additionally, short-term borrowing may be utilized as a source of temporary

funding of operational cash flow deficits, of anticipated revenues, of inter-fund borrowing or as an interim source of funding in anticipation of long-term borrowing. Short-term debt can be issued as follows, but not is limited to:

- a) Bond Anticipation Notes (BANs)
- b) Tax and Revenue Anticipation Notes (TRANs)
- c) Grant Anticipation Notes (GANs)
- d) Lines of Credit/Letters of credit/Loans
- e) Commercial Paper (CP)
- f) Term rate bonds
- g) Floating rate notes

A financing plan must be submitted prior to the use of short-term financing.

III. Variable Rate Debt

The MTC may issue variable rate debt. It is often appropriate to issue variable rate debt to diversify the debt portfolio and improve the match of assets to liabilities. An analysis and budgeting plan will be prepared for each debt financing which analyzes the optimal amount of hedged and unhedged variable rate debt appropriate to achieve project objectives and support debt service.

IV. Credit Enhancements

The MTC may purchase bond insurance, letters of credit or other means of credit enhancement for its borrowing of publicly sold or direct purchase bonds if the credit enhancement improves the credit quality of the bonds and as a result provides MTC with interest cost savings or other substantial market advantages. An analysis of utilizing credit enhancement instruments will be prepared for each debt financing to determine if there is appropriate value to support purchasing the enhancement.

V. Structured Financial Products (Derivatives)

The MTC may utilize derivative products such as floating-to-fixed and fixed-to-floating rate swaps as a tool to manage interest rate risk or reduce interest rate cost in the debt portfolio. Derivative products will be evaluated on a case-by-case basis to determine the value of potential benefits as well as a clear understanding of structured products.

The MTC will consider the following risks when considering structured products:

- 1) Counterparty risk: The counterparty's ratings, or the ratings of an entity controlling the counterparty, must be the equivalent of "A+" or better from three nationally recognized rating agencies, and the counterparty must have ratings that are equal to or better than MTC's current ratings from any two nationally recognized rating agencies at the time of the execution of the transaction.

1A) Counterparty Limits:

Corporate Rating ^(a)	Counterparty Security	Portfolio Limit	Single Firm Limit
AAA	Collateral	No Limit	No Limit
AAA Agreement	Over-Collateralized	No Limit	No Limit
AA ^(b)	Collateral	No Limit	No Limit
A ^(b)	Collateral	No Limit	25%

^(a) – or equivalent

^(b) – without graduation

- 2) Credit risk: Swap agreement will require unilateral posting by the counterparty if it fails to maintain its credit ratings.
- 3) Counterparty exposure risk: The MTC will attempt to use different counterparties to diversify exposure; however, the selection of a counterparty should not be at the expense of pricing or other credit factors.
- 4) Termination risk: Swap agreement will allow the MTC the unilateral option to terminate the swap at any time with 30 days notice.
- 5) Rollover risk: All swap transactions will be coterminous with or terminate earlier than the underlying bonds.
- 6) Amortization risk: The swap will be structured to amortize with or earlier than the maturity of the underlying bonds.

Structured financial derivative products may not be used for speculative purposes. Derivative products shall not be used for the sole purpose of generating operating or capital proceeds. Prior Board approval is required in order to utilize a derivative product.

- 7) Novation/Assignment: If counterparty or the entity controlling the counterparty does not maintain ratings conforming to subparagraph (1), the MTC may seek novations and assignments with replacement counterparties to reduce the MTC's exposure. Replacement counterparties must be rated higher than the counterparty being novated but not less than "A-" or equivalent from two rating agencies. In determining eligible novations/assignments, credit limitations in Section I shall not apply.

- 8) Conformance with Dodd-Frank: It is the intent of the MTC to conform this policy to the requirements relating to legislation and regulations for over-the-counter derivatives transactions under Title VII of the Wall Street Transparency and Accountability Act of 2010, as supplemented and amended from time to time (herein collectively referred to as "Dodd-Frank"). Pursuant to such intent, it is the policy of the MTC that: (i) each swap advisor engaged or to be engaged by the MTC will function as the designated qualified investment representative of the MTC, sometimes referred to as the "Designated QIR"; (ii) each swap advisor agrees to meet and meets the requirements specified in Commodity Futures Trading Commission Regulation 23.450(b)(1) or any successor regulation thereto (herein referred to as the "Representative Regulation"); (iii) each swap advisor provide a written certification to the MTC to the effect that such swap advisor agrees to meet and meets the requirements specified in the Representative Regulation; (iv) the MTC monitors the performance of each swap advisor consistent with the requirements specified in the Representative Regulation; (v) the MTC exercise independent judgment in consultation with its swap advisor in evaluating all recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this Debt Policy; and (vi) the MTC relies on the advice of its swap advisor with respect to transactions authorized pursuant to this Debt Policy and not rely on recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this Debt Policy

VI. Debt Capacity

An analysis and financing plan will be prepared for each debt financing which analyzes the optimal amount of debt capacity to achieve project objectives and support debt service. Debt levels will be maintained at a level consistent with project objectives and creditworthiness goals.

VII. Refunding

Outstanding debt will be monitored, on an ongoing basis, for potential savings via refunding opportunities. Refunding, either on a tax-exempt or taxable basis, will be considered if and when there is a net present value economic benefit of 3% resulting from the refunding or refundings may be non economic and may be undertaken to achieve other project objectives such as, changes in covenants, call provisions, operational flexibility, tax status, issuer, or the debt service profile.

VIII. Debt Rollover

An analysis will be prepared discussing the economic merits of the refunding and presented to the Board. Debt that is maturing or subject to mandatory tender and will be refunded as a rollover or remarketing to a new maturity, may be refunded or advance refunded as a business practice necessary for the administration of the debt portfolio without consideration of refunding criteria.

IX. Bond Proceeds

Proceeds will be invested in compliance with the provisions of the applicable bond indenture, federal and state tax requirements, and the adopted Investment Policy.

X. Bond Covenants and Laws

The MTC shall comply with all covenants and requirements of the bond resolutions, indentures, tax certificates and State and Federal laws authorizing and governing the issuance and administration of debt obligations.

The MTC shall comply with the reporting requirements of California Government Code Section 8855.

XI. Continuing Disclosure

In addition to annual audit and reporting disclosures, MTC's Finance department shall be responsible for complying with all continuing disclosure agreement (CDA) requirements entered into pursuant to the requirements of Securities and Exchange Commission Rule 15(c)-2-12 ("The Rule") which applies to publicly offered securities. The Finance department will be responsible for ensuring that all filings required under "The Rule" and outstanding CDA's are filed in a complete and timely manner.

XII. Arbitrage and Rebate Compliance

The Finance department shall maintain a system of accounts, record keeping and reporting as required under Generally Accepted Accounting Principles (GAAP), bond covenants and resolutions.

The use of bond proceeds and their investments must be monitored to ensure timely compliance with both current and future federal tax arbitrage restrictions. All rebates, if any, shall be made in a timely manner.

XIII. Internal Control Procedures

The Finance department maintains internal control procedures to monitor and ensure that the proceeds of all debt issuance is directed to and utilized for the intended use. Such procedures are tested as part of the annual financial audit.

XIV. Bond Rating Agency

The Finance department shall be responsible for maintaining the MTC's relationships with the credit rating agencies. The MTC will maintain a practice of meeting regularly with

credit analysts from the bond rating agencies to keep them informed of the MTC's borrowing plans, financial profile, and financial condition.

XV. Investor Relations

The Finance department will make all efforts to keep the various investors informed of current events surrounding the MTC. The Finance department will make all efforts to respond to questions from fund managers in a timely and efficient manner.

**Metropolitan Transportation Commission
Administration Committee**

November 10, 2021

Agenda Item 2e - 21-1295

MTC Resolution No. 4265, Revised – MTC Debt Policy Issuance and Management

Subject:

Staff requests that the Committee authorize the referral of MTC Resolution No. 4265, Revised to the Commission for the renewal of the Debt Policy for MTC and all MTC affiliated entities as well as ABAG which is administered under the Contract for Services.

Background:

The Debt Policy establishes the rules and limitations for all debt issued by MTC or any affiliated entity as well as ABAG. Prior to January 2017, the Debt Policy was primarily a BATA concern. However, in light of MTC now covering ABAG and ABAG FAN debt pursuant to the Contract for Services as well as preparing a federal funding securitization through BAIFA, the Debt Policy has shifted to the MTC Administration Committee.

The criteria listed in Resolution No. 4265, Revised are quite extensive and specifically relate to the authorization to issue debt. The provisions include:

- Issuance only by approved resolution
- Complete detail on total issuance and debt costs
- Complete capital financing plan
- Criteria for the use of credit enhancements
- Credit criteria for use of structured products (Derivatives)
- Analysis of debt capacity
- Refunding requirements of minimum 3% net present value for savings

There are also specific requirements for internal controls, administration, and audit. The Debt Policy complies with state law and all state reporting requirements.

Resolution No. 4265, Revised, requires review and approval on an annual basis. There are no changes to the policy as adopted by the Commission last year.

Additionally, BATA expects to amend its existing International Swaps and Derivatives Association (ISDA) Agreements via the ISDA Fallback Rate Protocol (once published) to

address the potential discontinuance of the London Interbank Offered Rate (LIBOR) at the end of 2021. This is provided for informational purposes only and has no impact on the policy.

Issues:

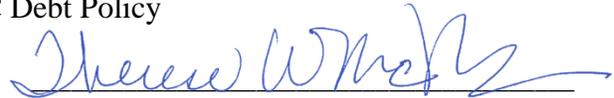
None identified.

Recommendations:

Refer MTC Resolution No. 4265, Revised to the Commission for approval.

Attachments:

- MTC Resolution No. 4265, Revised, MTC Debt Policy



Therese W. McMillan

Date: January 25, 2017

W.I.:

Referred by: Admin. Committee

Revised: 06/28/17-C 03/28/18-C
 03/27/19-C 11/20/19-C
 12/16/20-C 11/17/21-C

ABSTRACT

MTC Resolution No. 4265, Revised

This resolution authorizes the establishment of a Debt Policy with respect to the issuance and management of debts for the Metropolitan Transportation Commission (MTC) and its affiliated entities, including but not limited to the Bay Area Toll Authority (BATA) and the Bay Area Infrastructure Financing Authority (BAIFA), as delegated to MTC, and for the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for which MTC is providing administration of debts and other obligations effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017.

This resolution was revised on June 28, 2017 to add ABAG to the MTC Debt Policy.

Attachment A to this Resolution is being submitted for the Commission's annual approval on March 28, 2018 as stipulated in the "Objectives" section of the attachment.

Attachment A to this Resolution is being submitted for the Commission's annual approval on March 27, 2019 as stipulated in the "Objectives" section of the attachment.

This resolution was revised on November 20, 2019 to update language and regulatory requirements.

Attachment A to this Resolution is being submitted for the Commission's annual approval on December 16, 2020 as stipulated in the "Objectives" section of the attachment.

Attachment A to this Resolution is being submitted for the Commission's annual approval on November 17, 2021 as stipulated in the "Objectives" section of the attachment.

Further discussion of this amendment is contained in the Deputy Executive Director's memoranda to the Administration Committee dated June 7, 2017, February 28, 2018, February 27, 2019, November 13, 2019, December 9, 2020 and the Administration Committee Summary Sheet dated November 10, 2021.

Date: January 25, 2017
W.I.:
Referred by: Admin. Committee
Revised: 06/28/17-C

Re: Establishment of a Comprehensive MTC Debt Policy

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4265, REVISED

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Authority for the San Francisco Bay Area pursuant to Government Code §§ 66500 et seq.; and

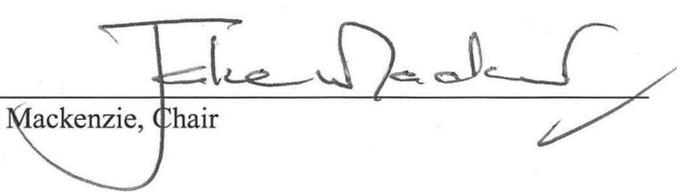
WHEREAS, the Bay Area Toll Authority (BATA), created pursuant to Streets & Highways Code §§ 30950 et seq. and the Bay Area Infrastructure Financing Authority (BAIFA) created pursuant to the joint exercise of powers agreement between MTC and BATA dated August 1, 2006 as amended, have requested MTC to assume administrative responsibility for BATA and BAIFA debts; and

WHEREAS, the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities, for which MTC is providing administration of debts and other obligations, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017; and

WHEREAS, MTC intends to administer all debts for which it is responsible pursuant to a single comprehensive debt policy; now, therefore, be it

RESOLVED, that MTC hereby adopts MTC Resolution No. 4265, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length, which establishes MTC's debt policy with respect to the issuance and management of MTC debt.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution, revising and superseding the resolution approved on January 25, 2017, was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on June 28, 2017.

Date: January 25, 2017
W.I.:
Referred by: Admin. Committee
Revised: 06/28/17-C 03/28/18-C
03/27/19-C 11/20/19-C
12/16/20-C 11/17/21-C

Attachment A
MTC Resolution No. 4265
Page 1 of 8

METROPOLITAN TRANSPORTATION COMMISSION DEBT POLICY

Introduction

The purpose of the Debt Policy is to establish guidelines for the issuance and financial management of debts for which the Metropolitan Transportation Commission (MTC) is administratively responsible, including those of the Bay Area Toll Authority (BATA), the Bay Area Infrastructure Financing Authority (BAIFA). This Debt Policy is intended to guide decisions related to any debt issued by MTC or its affiliated entities. This Debt Policy is also intended to guide decisions related to any debt issued by the Association of Bay Area Governments (ABAG), a separate joint powers authority, and its affiliated entities for which MTC is administering debts and other obligations, effective July 1, 2017 pursuant to a contract for services between MTC and ABAG dated May 30, 2017. Collectively, these entities comprise MTC as defined in this Debt Policy. The MTC recognizes that cost-effective access to the capital markets is highly dependent on sound management of the MTC's debt program.

Objectives

The purpose of the Debt Policy is to assist the MTC in meeting the following objectives:

- Issue debt in accordance with established guidelines
- Complete an approved capital financing plan
- Timely repayment of debt
- Maintain the highest of ratings that are consistent with the financing plan
- Ensure compliance with applicable State and Federal laws
- Assure access to credit markets
- Preserve financial flexibility

The MTC's Debt Policy shall be reviewed and updated at least annually and presented to the Board for approval. The Debt Policy requires that the MTC's Board specifically authorize each debt financing by resolution approved by the Board.

I. Long-Term Debt Financing

- A. The MTC will use the following criteria to evaluate pay-as-you-go versus long-term debt financing in funding capital projects.

- 1) Factors that favor pay-as-you-go:
 - a) Current revenues and adequate fund balances are available
 - b) Project phasing is feasible
 - c) Debt levels could adversely affect the MTC's or its affiliated entities' credit rating
 - d) Market conditions are unstable or present difficulties in marketing long-term debt
- 2) The MTC will consider the use of long-term debt financing for capital projects under, but not limited to, the following circumstances:
 - a) When the project's useful life will equal or exceed the term of the financing.
 - b) Revenues available for debt service are considered self-sufficient and reliable so that long-term financing can be marketed with an appropriate credit rating.
 - c) The project that is being considered will not adversely affect the MTC's or its affiliated entities' credit rating.
 - d) Market conditions present favorable interest rates.
 - e) High priority projects that result from regional or economic conditions that require use of long-term debt.
- 3) Each debt issuance for the financing of capital projects shall be approved by resolution specifying the following:
 - a) The security pledge for repayment of debt service
 - b) Total principal-- amount of the bonds.
 - c) Maximum interest rate, not to exceed 12%.
 - d) Total expected principal and interest payments, and such estimates may be set forth in a staff report accompanying or relating to the resolution approving the debt issuance.
 - e) All fees associated with the issuance. Fees may be in the form of a discount rate applied to the bond issue or direct payments of the fees.
 - f) Whether bonds are to be fixed or variable rate.
 - g) Any other special terms or conditions, including forward or delayed issuance and delivery of bonds.

- B. The MTC may use debt in special circumstances for projects other than long-term capital projects. Long-term debt will not be used to fund any ongoing operational costs.
- C. The MTC may use lease financing as an appropriate means of financing capital facilities, projects and certain equipment. The useful life of the capital equipment, the terms and conditions of the lease and budget flexibility will be evaluated prior to the implementation of the lease obligation. Efforts will be made to fund capital on a pay-as-you-go basis where feasible.
- D. No debt shall be issued for the financing of capital projects without approval of the resolution by the Board.

Capital Financing Plan

A Capital Financing Plan will be prepared for each long-term debt financing. Analysis must include, but is not limited to, the following requirements:

- a) Description and availability of all sources of funds
- b) Timing and priority of capital projects
- c) A financing plan which includes, but is not limited to:
 - 1) Debt service coverage
 - 2) Debt covenants
- d) Debt service requirements
- e) Effect of projects on debt capacity
- f) Measurable objectives or goals
- g) Conformance with California Government Code Section 58521.1

Debt Service Reserve Fund

A Debt Service Reserve Fund (DSRF) will not be required on a financing if there is no negative or additional cost implications to the financing. An analysis and financing plan will be prepared for each debt financing which analyzes the optimal method and level of funding the DSRF and selecting the appropriate bond insurer to achieve project objectives and support debt service. If funded, the reserve will be funded through cash on hand, bond proceeds or a DSRF surety policy provided by a rated bond insurer.

II. Short-Term Financing

Short-term borrowing may be utilized for any purpose for which long-term debt may be issued. Additionally, short-term borrowing may be utilized as a source of temporary

funding of operational cash flow deficits, of anticipated revenues, of inter-fund borrowing or as an interim source of funding in anticipation of long-term borrowing. Short-term debt can be issued as follows, but not is limited to:

- a) Bond Anticipation Notes (BANs)
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The MTC may issue variable rate debt. It is often appropriate to issue variable rate debt to diversify the debt portfolio and improve the match of assets to liabilities. An analysis and budgeting plan will be prepared for each debt financing which analyzes the optimal amount of hedged and unhedged variable rate debt appropriate to achieve project objectives and support debt service.

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The MTC may utilize derivative products such as floating-to-fixed and fixed-to-floating rate swaps as a tool to manage interest rate risk or reduce interest rate cost in the debt portfolio. Derivative products will be evaluated on a case-by-case basis to determine the value of potential benefits as well as a clear understanding of structured products.

The MTC will consider the following risks when considering structured products:

- 1) Counterparty risk: The counterparty's ratings, or the ratings of an entity controlling the counterparty, must be the equivalent of "A+" or better from three nationally recognized rating agencies, and the counterparty must have ratings that are equal to or better than MTC's current ratings from any two nationally recognized rating agencies at the time of the execution of the transaction.

1A) Counterparty Limits:

Corporate Rating ^(a)	Counterparty Security	Portfolio Limit	Single Firm Limit
AAA	Collateral	No Limit	No Limit
AAA Agreement	Over-Collateralized	No Limit	No Limit
AA ^(b)	Collateral	No Limit	No Limit
A ^(b)	Collateral	No Limit	25%

^(a) – or equivalent

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- 2) Credit risk: Swap agreement will require unilateral posting by the counterparty if it fails to maintain its credit ratings.
- 3) Counterparty exposure risk: The MTC will attempt to use different counterparties to diversify exposure; however, the selection of a counterparty should not be at the expense of pricing or other credit factors.
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Structured financial derivative products may not be used for speculative purposes. Derivative products shall not be used for the sole purpose of generating operating or capital proceeds. Prior Board approval is required in order to utilize a derivative product.

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- 8) Conformance with Dodd-Frank: It is the intent of the MTC to conform this policy to the requirements relating to legislation and regulations for over-the-counter derivatives transactions under Title VII of the Wall Street Transparency and Accountability Act of 2010, as supplemented and amended from time to time (herein collectively referred to as "Dodd-Frank"). Pursuant to such intent, it is the policy of the MTC that: (i) each swap advisor engaged or to be engaged by the MTC will function as the designated qualified investment representative of the MTC, sometimes referred to as the "Designated QIR"; (ii) each swap advisor agrees to meet and meets the requirements specified in Commodity Futures Trading Commission Regulation 23.450(b)(1) or any successor regulation thereto (herein referred to as the "Representative Regulation"); (iii) each swap advisor provide a written certification to the MTC to the effect that such swap advisor agrees to meet and meets the requirements specified in the Representative Regulation; (iv) the MTC monitors the performance of each swap advisor consistent with the requirements specified in the Representative Regulation; (v) the MTC exercise independent judgment in consultation with its swap advisor in evaluating all recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this Debt Policy; and (vi) the MTC relies on the advice of its swap advisor with respect to transactions authorized pursuant to this Debt Policy and not rely on recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this Debt Policy

VI. Debt Capacity

An analysis and financing plan will be prepared for each debt financing which analyzes the optimal amount of debt capacity to achieve project objectives and support debt service. Debt levels will be maintained at a level consistent with project objectives and creditworthiness goals.

VII. Refunding

Outstanding debt will be monitored, on an ongoing basis, for potential savings via refunding opportunities. Refunding, either on a tax-exempt or taxable basis, will be considered if and when there is a net present value economic benefit of 3% resulting from the refunding or refundings may be non economic and may be undertaken to achieve other project objectives such as, changes in covenants, call provisions, operational flexibility, tax status, issuer, or the debt service profile.

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An analysis will be prepared discussing the economic merits of the refunding and presented to the Board. Debt that is maturing or subject to mandatory tender and will be refunded as a rollover or remarketing to a new maturity, may be refunded or advance refunded as a business practice necessary for the administration of the debt portfolio without consideration of refunding criteria.

IX. Bond Proceeds

Proceeds will be invested in compliance with the provisions of the applicable bond indenture, federal and state tax requirements, and the adopted Investment Policy.

X. Bond Covenants and Laws

The MTC shall comply with all covenants and requirements of the bond resolutions, indentures, tax certificates and State and Federal laws authorizing and governing the issuance and administration of debt obligations.

The MTC shall comply with the reporting requirements of California Government Code Section 8855.

XI. Continuing Disclosure

In addition to annual audit and reporting disclosures, MTC's Finance department shall be responsible for complying with all continuing disclosure agreement (CDA) requirements entered into pursuant to the requirements of Securities and Exchange Commission Rule 15(c)-2-12 ("The Rule") which applies to publicly offered securities. The Finance department will be responsible for ensuring that all filings required under "The Rule" and outstanding CDA's are filed in a complete and timely manner.

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The Finance department shall maintain a system of accounts, record keeping and reporting as required under Generally Accepted Accounting Principles (GAAP), bond covenants and resolutions.

The use of bond proceeds and their investments must be monitored to ensure timely compliance with both current and future federal tax arbitrage restrictions. All rebates, if any, shall be made in a timely manner.

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The Finance department maintains internal control procedures to monitor and ensure that the proceeds of all debt issuance is directed to and utilized for the intended use. Such procedures are tested as part of the annual financial audit.

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The Finance department shall be responsible for maintaining the MTC's relationships with the credit rating agencies. The MTC will maintain a practice of meeting regularly with

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Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1294 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 9/24/2021 **In control:** Programming and Allocations Committee

On agenda: 11/10/2021 **Final action:**

Title: MTC Resolution Nos. 4465, Revised; and 4466, Revised. Allocation of \$69 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans, Vacaville, and VTA.

Sponsors:

Indexes:

Code sections:

Attachments: [11d - 21-1294 - Resos 4465-4466 TDA STA Allocations.pdf](#)
[2c - 21-1294 - Resos 4465-4464 TDA STA Allocations.pdf](#)

Date	Ver.	Action By	Action	Result
11/10/2021	1	Programming and Allocations Committee		

Subject:

MTC Resolution Nos. 4465, Revised; and 4466, Revised. Allocation of \$69 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans, Vacaville, and VTA.

Presenter:

Cheryl Chi

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 10, 2021

Agenda Item 2c - 21-1294

MTC Resolution Nos. 4465, Revised; and 4466, Revised

Subject:

Allocation of \$69 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to SamTrans, Vacaville, and VTA.

Background:

This month's proposed actions continue the annual allocation process of these funds for FY2021-22. SamTrans, and Vacaville, and VTA are requesting TDA or STA allocations this month that exceed the \$1 million delegated authority limit. Allocation requests that are less than \$1 million are approved separately through the Executive Director's Delegated Authority process. Santa Clara Valley Transportation Authority (VTA)'s first allocation was approved in June 2021; this current requesting is for STA fundings that became available as a result of the update of the FY 2021-22 Fund Estimate in October, since their claim was approved in June 2021.

These funds comprise an important source of ongoing funding for transit agencies.

The proposed allocation amounts are based on the programming levels identified in the FY 2021-22 Fund Estimate (MTC Resolution 4450) and the RM2 Operating Program (MTC Resolution 4463). The proposed allocations are summarized in the following table:

Claim Amounts by Operator (amounts in millions)

Claimant	TDA (Res 4465)	STA (Res. 4466)	Total Amount
SamTrans	\$36.9	\$22.5	\$59.4
Vacaville	\$2.4	-	\$2.4
VTA	\$.4	\$6.5	\$6.9
Total	\$39.7	\$29.0	\$68.7

Information regarding the FY 2021-22 operating budget and transit services for SamTrans and Vacaville is provided in Attachment A. Vacaville is piloting on-demand service and SamTrans is conducting outreach on a refreshed bus network with the goal of implementing changes next fall.

Issues:

None identified.

Recommendations:

Refer MTC Resolution Nos. 4465, Revised; and 4466, Revised to the Commission for approval.

Attachments:

- Attachment A – Transit Operator Budget Summary
- MTC Resolution No. 4465, Revised
- MTC Resolution No. 4466, Revised


Therese W. McMillan

Attachment A – Transit Operator Budget Summary

SamTrans

Proposed Operating Budget	\$196.4 million
Change in Budget compared to FY2019-20 (excluding Caltrain pass through)	2.2%
Current Average Ridership Decrease (Aug 2021 to Feb 2020)	-56.5%
Total Proposed TDA & STA FY2021-22 Allocation ¹	\$51.1 million plus \$10 million pass through to Caltrain
Proportion of Operating Budget Funded with Allocations	15%

Budget Highlights

- Wage and benefit cost increases are partially offset by a reduction in purchased transportation cost due to expected continuing lower ridership on paratransit.
- SamTrans adopted a reserve policy and is funding a three-month operating reserve and sales tax stabilization reserve.
- Due to the passage of Measure RR, a sales tax measure for Caltrain, the three member agencies—SFMTA, SamTrans, and VTA—will not provide support to Caltrain in FY2021-22.

Operations Summary

- Service is currently at 88 percent of pre-COVID levels. Additional service restoration is dependent on hiring additional drivers.
- SamTrans is currently redesigning their entire bus system and starting their third round of outreach. A preferred network has been identified and is expected to be approved early next year and implemented in August 2022.

¹ The allocation request includes funds that will be allocated through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Allocations made by Delegated Authority are reported to the Commission quarterly.

Vacaville

Proposed Operating Budget	\$2.7 million
Change in Budget compared to FY2019-20	4.9%
Current Average Ridership Decrease (Sept 2021 to Sept 2019)	-37.6%
Total Proposed TDA & STA FY2021-22 Allocation ¹	\$3.9 million
Proportion of Operating Budget Funded with Allocations	54%

Budget Highlights

- Federal funding comprises the balance of Vacaville’s operating revenue. City Coach continues to operate fare free with the use of federal relief funds.
- One million of the requested \$2.4 million capital request will be used to purchase 10 vehicles to support paratransit and on-demand service. Other capital projects include electrification and bus capital maintenance.

Operations Summary

Vacaville was in the process of assessing its transit service before the pandemic. As a result of this assessment, Vacaville is now piloting on-demand service and has reduced its fixed service routes from six to four, with two routes operating throughout the day and two other routes operating only during the morning and mid-day. Vacaville continues to assess demand and is prepared to increase service. In order to encourage transit use, City Coach continues to operate fare free through the use of federal relief funds.

¹ The allocation request includes funds that will be allocated through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Allocations made by Delegated Authority are reported to the Commission quarterly.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC
Revised: 07/28/21-C 09/22/21-C
10/27/21-C 11/17/21-C

ABSTRACT

Resolution No. 4465, Revised

This resolution approves the allocation of fiscal year 2021-2022 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution allocates funds to AC Transit, County Connection (CCCTA), Napa Valley Transportation Authority (NVTA), Soltrans, and Santa Clara Valley Transportation Authority (VTA).

On July 28, 2021, Attachment A was revised to allocate funds to Eastern Contra Costa Transit Authority (ECCTA or Tri Delta Transit), Livermore Amador Valley Transit Authority (LAVTA or Wheels), Napa Valley Transportation Authority (NVTA), Sonoma County Transit, and Western Contra Costa Transit Authority (WestCAT).

On September 22, 2021, Attachment A was revised to allocate funds to the Golden Gate Bridge, Highway and Transportation District (GGBHTD) and the San Francisco Municipal Transportation Agency (SFMTA).

On October 27, 2021, Attachment A was revised to allocate funds to Marin Transit.

On November 17, 2021, Attachment A was revised to allocate funds to SamTrans, Vacaville, and VTA.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 9, 2021, July 14, 2021, September 8, 2021, October 13, 2021, and November 10, 2021.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2021-22 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4465

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, the Mills-Alquist-Deddeh Act (“Transportation Development Act” or “TDA”), Public Utilities Code Section 99200 et seq., makes certain retail sales tax revenues available to eligible claimants for public transportation projects and purposes; and

WHEREAS, MTC is responsible for the allocation of TDA funds to eligible claimants within the MTC region; and

WHEREAS, claimants in the MTC region have submitted claims for the allocation of fiscal year 2020-21 TDA 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 2021-22 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, 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.); 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 2021-22 TDA 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; and, be it further

RESOLVED, that pursuant to 21 California Code of Regulations Sections 6621 and 6659, a certified copy of this resolution, along with written allocation instructions for the disbursement of TDA funds as allocated herein, shall be forwarded to the county auditor of the county in which each claimant is located; and, be it further

RESOLVED, that all TDA allocations are subject to continued compliance with MTC Resolution No. 3866, Revised, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION



Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on June 23, 2021.

Date: June 23, 2021
 Referred by: PAC
 Revised: 07/28/21-C 09/22/21-C
 10/27/21-C 11/17/21-C

Attachment A
 MTC Resolution No. 4465
 Page 1 of 2

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
 DURING FISCAL YEAR 2021-22

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

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area	Note
5801 - 99233.7, 99275 Community Transit Service - Operations						
VTA	Paratransit Operations	6,155,184	01	06/23/21	Santa Clara County	
CCCTA	Paratransit Operations	1,211,358	02	06/23/21	Contra Costa County	
AC Transit	Paratransit Operations	4,338,169	03	06/23/21	Alameda County	
VTA	Paratransit Operations	21,522	01	11/17/21	Santa Clara County	
SamTrans	Paratransit Operations	1,845,853	28	11/17/21	San Mateo County	
	Subtotal	13,572,086				
5802 - 99260A Transit - Operations						
AC Transit	Transit Operations	48,597,106	04	06/23/21	AC Transit - D1 Ala	
AC Transit	Transit Operations	12,980,480	05	06/23/21	AC Transit - D2 Ala	
AC Transit	Transit Operations	7,072,554	06	06/23/21	AC Transit - D1 CC	
VTA	Transit Operations	116,948,496	07	06/23/21	VTA	
SolTrans	Transit Operations	3,327,437	08	06/23/21	Vallejo/Benicia	
CCCTA	Transit Operations	20,905,683	09	06/23/21	CCCTA	
ECCTA	Transit Operations	12,074,983	12	07/28/21	ECCTA	
Sonoma County Tra	Transit Operations	6,772,284	13	07/28/21	Sonoma County	
NVTA	Transit Operations	1,451,200	14	07/28/21	NVTA	
WCCTA	Transit Operations	2,444,398	15	07/28/21	WestCat	
LAVTA	Transit Operations	11,282,017	16	07/28/21	LAVTA	
GGBHTD	Transit Operations	7,416,263	23	09/22/21	GGBHTD (Marin)	
GGBHTD	Transit Operations	6,322,679	24	09/22/21	GGBHTD (Sonoma)	

5802 - 99260A Transit - Operations (continued)

SFMTA	Transit Operations	2,096,220	25	09/22/21	San Francisco County	1
SFMTA	Transit Operations	39,828,179	26	09/22/21	SFMTA	
Marin Transit	Transit Operations	6,565,228	27	10/27/21	Marin Transit	
VTA	Transit Operations	408,908	07	11/17/21	VTA	
SamTrans	Transit Operations	35,071,204	29	11/17/21	Samtrans	
Subtotal		341,565,319				

5803 - 99260A Transit - Capital

SolTrans	Transit Capital	4,012,000	10	06/23/21	Vallejo/Benicia	
CCCTA	Transit Capital	2,694,520	11	06/23/21	CCCTA	
ECCTA	Transit Capital	4,103,457	17	07/28/21	ECCTA	
Sonoma County Tra	Transit Capital	2,032,760	18	07/28/21	Sonoma County	
NVTA	Transit Capital	4,223,000	19	07/28/21	NVTA	
LAVTA	Transit Capital	4,686,907	20	07/28/21	LAVTA	
Subtotal		21,752,644				

5807 - 99400C General Public - Operating

Sonoma County	Transit Operations	2,307,500	21	07/28/21	Sonoma County	
Subtotal		2,307,500				

5808 - 99400C General Public - Capital

Vacaville	Transit Capital	2,400,000	30	11/17/21	Vacaville	
Subtotal		2,400,000				

5812 - 99400D Planning & Admin - Operating

NVTA	Planning and Administration	1,070,000	22	07/28/21	NVTA	
Subtotal		1,070,000				

TOTAL 382,667,549

Note:

(1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.

Date: June 23, 2021
Referred by: PAC

Attachment B
Resolution No. 4465
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2021-22
TRANSPORTATION DEVELOPMENT ACT
ARTICLE 4, ARTICLE 4.5 AND ARTICLE 8
FUNDS TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which Transportation Development Act funds are allocated under this resolution.

Transportation Development Act Article 4 Funds

Public Utilities Code § 99268 et seq.

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 Public Utilities Code §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 4 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations; and
3. That the claimant is in compliance with the 50% expenditure limitation of Public Utilities Code § 99268, or exempt from compliance with the applicable fare or fares-plus-local-support recovery ratio requirement (Public Utilities Code §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5) as provided by PUC § 99268.9; and
4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6633.1, or § 6634; and

5. That pursuant to Public Utilities Code § 99233.7 certain funds identified in Attachment A and available for purposes stated in TDA Article 4.5 can be used to better advantage by a claimant for purposes stated in Article 4 in the development of a balanced transportation system.

Transportation Development Act Article 4.5 Funds

Public Utilities Code § 99275

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 Public Utilities Code §§ 99243 and 99245; and

2. That the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and

3. That in accordance with Public Utilities Code § 99275.5(c), MTC finds that the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC, responds to a transportation need not otherwise met in the community of the claimant; that the services of the claimant are integrated with existing transit services, as warranted; that the claimant has prepared and submitted to MTC an estimate of revenues, operating costs and patronage for the fiscal year in which TDA Article 4.5 funds are allocated; and that the claimant is exempt from applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in Public Utilities Code § 99268.5 or MTC Resolution No. 1209, Revised) as provided by PUC § 99268.9; and

4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6634; and

5. That each claimant is in compliance with Public Utilities Code §§ 99155 and 99155.5, regarding user identification cards.

Transportation Development Act Article 8 Transit Funds

Public Utilities Code §§ 99400(c), 99400(d) and 99400(e)

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 Public Utilities Code §§ 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 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and
3. That the claimant is exempt from applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in Public Utilities Code §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised) as provided by PUC § 99268.9; and
4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6634.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC
Revised: 07/28/21-C 09/22/21-C
10/27/21-C 11/17/21-C

ABSTRACT

Resolution No. 4466, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2021-22.

This resolution allocates funds to AC Transit, MTC, SolTrans, and Santa Clara Valley Transportation Authority (VTA).

On July 28, 2021, Attachment A was revised to allocate funds to Eastern Contra Costa Transit Authority (ECCTA or Tri Delta Transit) and Western Contra Costa Transit Authority (WestCAT).

On September 22, 2021, Attachment A was revised to allocate funds to the San Francisco Municipal Transportation Agency (SFMTA) and the Golden Gate Bridge, Highway and Transportation District (GGBHTD).

On October 27, 2021, Attachment A was revised to allocate funds to eight operators, and Solano Transportation Authority.

On November 17, 2021, Attachment A was revised to allocate funds to SamTrans and VTA.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 9, 2021, July 14, 2021, September 8, 2021, October 13, 2021, and November 11, 2021.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2021-22 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4466

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 2021-22 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 2021-22 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. 4321 and 4433, 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.); 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 2021-22 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



Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California and at other remote locations, on June 23, 2021.

Date: June 23, 2021
 Referred by: PAC
 Revised: 07/28/21 C 09/22/21-C
 10/27/21-C 11/17/21-C

Attachment A
 MTC Resolution No. 4466
 Page 1 of 2

ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
 DURING FISCAL YEAR 2021-22

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

Claimant	Project Description	Amount	Code	Approval Date	Apportionment Area
5820 - 6730A Operating Costs - Revenue-based					
AC Transit	Transit Operations	18,707,978	01	06/23/21	AC Transit
VTA	Transit Operations	21,232,325	02	06/23/21	VTA
ECCTA	Transit Operations	2,899,892	06	07/28/21	BART
WestCat	Transit Operations	2,737,806	07	07/28/21	BART
SFMTA	Transit Operations	62,690,293	08	09/22/21	SFMTA
GGBHTD	Transit Operations	8,396,836	09	09/22/21	GGBHTD
Marin Transit	Transit Operations	1,500,000	11	10/27/21	Marin Transit
VTA	Transit Operations	5,204,451	02	11/17/21	VTA
SamTrans	Transit Operations	10,630,852	22	11/17/21	SamTrans
SamTrans	Transit Operations	10,041,955	23	11/17/21	Caltrain
Subtotal		144,042,388			

5820 - 6730A Operating Costs - County Block Grant

SolTrans	Transit Operations	1,134,745	03	06/23/21	Solano County
AC Transit	Transit Operations	1,492,197	12	10/27/21	Contra Costa County
AC Transit	Transit Operations	5,243,953	13	10/27/21	Alameda County
LAVTA	Transit Operations (small operator)	1,552,923	14	10/27/21	Alameda County
CCCTA	Transit Operations	4,888,140	15	10/27/21	Contra Costa County
ECCTA	Transit Operations	3,115,767	16	10/27/21	Contra Costa County
NVTA	Transit Operations	1,908,843	17	10/27/21	Napa County
Sonoma County Tra	Transit Operations	1,897,396	18	10/27/21	Sonoma County
GGBHTD	Transit Operations	1,447,324	19	10/27/21	Marin County
Marin Transit	Transit Operating	1,040,376	20	10/27/21	Marin County
Subtotal		23,721,665			

Attachment A
 MTC Resolution No. 4466
 Page 2 of 2

5820 - 6730A Operating Costs - Population-based MTC Regional Coordination

MTC	Clipper Operations	6,300,000	04	06/23/21	MTC
Subtotal		6,300,000			

5822 - 6731C Paratransit - Operating - County Block Grant

VTA	Paratransit Operations	5,285,640	05	06/23/21	Santa Clara County
SFMTA	Paratransit Operations	3,012,914	10	09/22/21	San Francisco County
SFMTA	Paratransit Operations	722,099	10	10/27/21	San Francisco County
VTA	Paratransit Operations	1,287,359	05	11/17/21	Santa Clara County
SamTrans	Transit Operations	1,796,440	24	11/17/21	San Mateo County

Subtotal 12,104,452

5828 - 6731B Planning and Admin - County Block Grant

Solano TA	Planning and Administration	2,763,812	21	10/27/21	Solano County
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Subtotal 2,763,812

TOTAL 188,932,317

Date: June 23, 2021
Referred by: PAC

Attachment B
Resolution No. 4466
Page 1 of 2

ALLOCATION OF FISCAL YEAR 2021-22 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 the claimant is in compliance with the 50% expenditure limitation of PUC § 99268, or is exempt from compliance 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 provided by PUC § 99268.9; 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 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.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1324 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 9/29/2021 **In control:** Programming and Allocations Committee

On agenda: 11/10/2021 **Final action:**

Title: MTC Resolution No. 4486, FY2021-22 STA State of Good Repair Allocations

Sponsors:

Indexes:

Code sections:

Attachments: [11e - 21-1324 - Reso 4486 State of Good Repair Allocations.pdf](#)
[2d - 21-1324 - Reso 4486 State of Good Repair Allocations.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 4486, FY2021-22 STA State of Good Repair Allocations

Presenter:
Terence Lee

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 10, 2021

Agenda Item 2d - 21-1324

MTC Resolution No. 4486, FY2021-22 STA-State of Good Repair Allocations

Subject:

Allocation of \$43 million of State Transit Assistance-State of Good Repair (STA-SGR) funds to MTC and transit operators for projects approved by the State Department of Transportation (Caltrans).

Background:

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), created the State of Good Repair Account within the State Transit Assistance Program. The State Controller provides the estimate of funding available by operator in accordance with PUC Section 99314 (Revenue-based share) and to the MTC region in accordance with PUC Section 99313 (Population-based share). Approximately \$31.5 million is expected in revenue-based funds, along with \$11.5 million in population-based funds and these amounts are included in the MTC Fund Estimate (MTC Resolution 4450, Revised).

MTC compiled and submitted the FY 2021-22 STA-SGR proposed project list for Caltrans' review through Resolution 4472 in July 2021 and the CalSMART grant system. MTC proposes to allocate funds to these projects as required by statute.

Funding recipients are responsible for working directly with Caltrans to deliver their projects and meet the program guidelines. Funds will be allocated to a variety of projects to improve the state of good repair of the Bay Area's transit systems – see Attachment A to this resolution for the complete list of projects and allocations.

Most operators will use their revenue-based funds for state of good repair projects of equipment or facilities, to provide local match for projects funded with other state or federal funds, or for the rehabilitation or purchase of public transit vehicles. In accordance with the policy set forth in MTC Resolution 4321, the population-based STA-SGR funds are allocated to MTC to assist in the delivery of the Next Generation Clipper® system.

Issues:

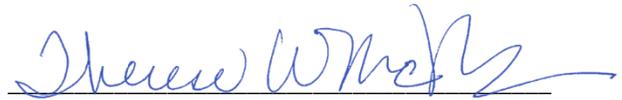
None identified.

Recommendations:

Refer MTC Resolution No. 4486 to the Commission for Approval

Attachments:

Attachment A: MTC Resolution No. 4486



Therese W. McMillan

Date: November 17, 2021
W.I.: 1514
Referred by: PAC

ABSTRACT
Resolution No. 4486

This resolution approves the allocation of State Transit Assistance State of Good Repair (STA-SGR) funds for fiscal year 2021-22.

This resolution allocates STA-SGR funds to MTC and to transit operators in the MTC region with approved projects in accordance with the program guidelines developed by the State Department of Transportation as the program administrator.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheet dated November 10, 2021.

Date: November 10, 2021
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2021-22 State Transit Assistance State of Good Repair funds to recipients in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4486

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 Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017) created a Transportation Improvement Fee, Revenue and Taxation Code Section 11053(a), for allocation under the State Transit Assistance Program; and

WHEREAS, the Road Repair and Accountability Act of 2017, SB 1 (Chapter 5, Statutes of 2017) created the State of Good Repair Program within the State Transit Assistance Program, Public Utilities Code Section, 99312.1(c)

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(a), 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 99312.2(b)(2), 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 projects to the State Department of Transportation for approval as required by Public Utilities Code Section 99312.1(d) and the State Department of Transportation has approved those projects for allocation of fiscal year 2021-22 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 2021-22 allocations requested by claimants, and may be 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; now, therefore, be it

RESOLVED, that MTC approves the allocation of fiscal year 2021-22 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; and, be it further

RESOLVED, that the Executive Director is authorized to make scope or allocation changes to Attachment A, up to \$1 million for each project, in consultation with the affected sponsor if approved by the State Department of Transportation or California State Controller.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and other remote locations on November 10, 2021.

ALLOCATION OF STATE TRANSIT ASSISTANCE - STATE OF GOOD REPAIR FUNDS FISCAL YEAR 2021-22

Recipients are responsible for meeting program guidelines and requirements adopted by Caltrans such as annual reporting and fiscal audit. Allocation amounts below are estimated. Final allocation amounts and disbursements will be based on actual funds received from the State of California. If funds received from the State are less than the allocated amount, the allocation will be reduced accordingly.

Recipient	FY 2021-22 Project	Allocation	Alloc. No.	Approval Date
<i>Population-based Share</i>				
MTC	Clipper/Clipper 2.0	\$ 11,465,566	01	11/17/21

Population-based Total: \$ 11,465,566

Revenue-based Share

AC Transit	Purchase fifty 40-ft Replacement Diesel Buses	\$ 4,001,204	02	11/17/21
ACE (ACTC Share)	Purchase of Capital Spare parts	\$ 45,946	03	11/17/21
BART	Prev. Maint. and Renovation of Various BART District-Wide Systems	\$ 6,269,892	04	11/17/21
PCJPB (Caltrain)	FY 2021-22 STA-SGR Projects <i>State of Good Repair Track Rehabilitation</i> <i>State of Good Repair Communications Rehab/Upgrades</i> <i>Guadalupe Bridge-Final Design</i>	\$ 1,492,021	05	11/17/21
CCCTA (County Connection)	Intelligent Transportation System Security Maintenance	\$ 130,808	06	11/17/21

Recipient	FY 2021/22 Project	Allocation	Alloc. No.	Approval Date
City of Fairfield	Corporation Yard Transit Fleet Electrification Project	\$ 28,642	07	11/17/21
	<i>Fairfield Share</i>	\$ 23,211		
	<i>Vacaville Share</i>	\$ 4,154		
	<i>Dixon Share</i>	\$ 1,277		
GGBHTD	New Vessel Acquisition	\$ 1,431,657	08	11/17/21
LAVTA	Livermore Transit Center Rehabilitation and Improvement	\$ 62,746	09	11/17/21
Marin Transit	Replacement of Seven 35-ft Hybrid Vehicles	\$ 244,675	10	11/17/21
NVTA	Vine Bus Maintenance Facility	\$ 17,763	11	11/17/21
City of Petaluma	Preventative Maintenance	\$ 7,622	12	11/17/21
SamTrans	LED Lighting Upgrade, Phase-2 at North Base & South Base Facilities	\$ 1,496,400	13	11/17/21
City of Santa Rosa	Preventive Maintenance of Fixed-Route Fleet	\$ 25,611	14	11/17/21
SFMTA	SFMTA SGR Projects FY21-22	\$ 10,688,678	15	11/17/21
	<i>SFMTA Facilities SGR Project FY21-22</i>			
	<i>SFMTA Fixed Guideway SGR Project FY21-22</i>			
SMART	SMART Capital Spare Parts Project	\$ 309,308	16	11/17/21
Solano County Transit (SolTrans)	Battery refresh for two hybrid diesel buses	\$ 54,960	17	11/17/21
	<i>Soltrans Share</i>	\$ 54,554		
	<i>Rio Vista Share</i>	\$ 406		
Sonoma County Transit	Fixed-Route Vehicle Replacements	\$ 35,676	18	11/17/21
ECCTA (TriDelta Transit)	ECCTA Parking Lot Repairs	\$ 63,244	19	11/17/21
City of Union City	Bus Stop Improvements	\$ 19,382	20	11/17/21

Recipient	FY 2021/22 Project	Allocation	Alloc. No.	Approval Date
VTA	Operating assistance	\$ 4,535,433	21	11/17/21
VTA-ACE	Operating assistance	\$ 26,508	22	11/17/21
WCCTA (WestCAT)	Purchase of Replacement Revenue Vehicles	\$ 82,963	23	11/17/21
WETA	Terminal Dredging - Vallejo	\$ 406,849	24	11/17/21

Revenue-based Total: \$ 31,477,988



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1413 **Version:** 1 **Name:**

Type: Resolution **Status:** Commission Approval

File created: 10/15/2021 **In control:** Programming and Allocations Committee

On agenda: 11/10/2021 **Final action:**

Title: MTC Resolution No. 4202, Revised. Revisions to the One Bay Area Grant (OBAG 2) program, including redirecting \$948,000 within the San Mateo County program.

Sponsors:

Indexes:

Code sections:

Attachments: [11f - 21-1413 - Reso 4202 OBAG2 Revisions.pdf](#)
[2f - 21-1413 - Reso 4202 OBAG2 Revisions.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 4202, Revised. Revisions to the One Bay Area Grant (OBAG 2) program, including redirecting \$948,000 within the San Mateo County program.

Presenter:
Thomas Arndt

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 10, 2021

Agenda Item 2f - 21-1413

MTC Resolution No. 4202, Revised

Subject:

Revisions to the One Bay Area Grant program (OBAG 2) to redirect \$948,000 between projects in the San Mateo County Program.

Background:

The OBAG 2 programs adopted by the Commission establishes the commitments and policies for investing Surface Transportation Block Grant Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ) funds for regional and county programs from FY 2017-18 through FY2021-22.

This month, staff recommends approving the following revisions to San Mateo County program as requested by City/County Association of Governments of San Mateo County:

- Deprogram \$948,000 from the City of Redwood City's US-101/Woodside Rd. Class I Bikeway project due to the City indicating that this project was not possible to complete within the timely use of funds deadline, and of that amount,
- Redirect \$450,000 to Daly City's Southgate Avenue and School Street Safety Improvements; and
- Redirect \$347,000 to Millbrae's Park Boulevard and Santa Teresa Way Improvements.

A balance of \$151,000 in OBAG 2 funds will be programmed through a future Commission action, following a programming recommendation from the C/CAG Board.

Issues:

None.

Recommendation:

Refer MTC Resolution No. 4202, Revised to the Commission for approval.

Attachments:

MTC Resolution No. 4202, Revised, Attachment B-2


Therese W. McMillan

Date: November 18, 2015
W.I.: 1512
Referred by: PAC
Revised: 07/27/16-C 10/26/16-C 12/21/16-C
03/22/17-C 04/26/17-C 05/24/17-C
06/28/17-C 07/26/17-C 09/27/17-C
10/25/17-C 11/15/17-C 12/20/17-C
01/24/18-C 02/28/18-C 03/28/18-C
04/25/18-C 05/23/18-C 06/27/18-C
07/25/18-C 09/26/18-C 11/28/18-C
12/19/18-C 01/23/19-C 02/27/19-C
03/27/19-C 06/26/19-C 07/24/19-C
09/25/19-C 10/23/19-C 11/20/19-C
02/26/20-C 05/27/20-C 07/22/20-C
09/23/20-C 11/20/20-C 01/27/21-C
02/24/21-C 04/28/21-C 05/26/21-C
06/23/21-C 07/28/21-C 09/22/21-C
11/17/21-C

ABSTRACT

Resolution No. 4202, Revised

Adoption of the project selection policies and project programming for the second round of the One Bay Area Grant program (OBAG 2). The project selection criteria and programming policy contain the project categories that are to be funded with various fund sources including federal surface transportation act funding available to MTC for its programming discretion to be included in the federal Transportation Improvement Program (TIP) for the OBAG 2 funding period.

The resolution includes the following attachments:

- Attachment A – OBAG 2 Project Selection Criteria and Programming Policy
- Attachment B-1 – OBAG 2 Regional Program Project List
- Attachment B-2 – OBAG 2 County Program Project List

On July 27, 2016, Attachment A, and Attachments B-1 and B-2 were revised to add additional funding and projects to the OBAG 2 framework, including \$72 million in additional Fixing America’s Surface Transportation Act (FAST) funding, and to incorporate housing-related policies.

On October 26, 2016, Attachment A, and Attachment B-1 were revised to clarify language related to the North Bay Priority Conservation Area (PCA) Program in Attachment A and to deprogram \$2,500,000 from the Water Emergency Transportation Authority (WETA) Ferry Service Enhancement Pilot within the Regional Active Operational Management Program.

ABSTRACT

MTC Resolution No. 4202, Revised

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On December 21, 2016, Attachments B-1 and B-2 were revised to redirect \$417,000 in un-programmed balances from the Regional Active Operational Management program to MTC's Spare the Air Youth within the Climate Initiatives Program; divide MTC's Rideshare Program into three subcomponents totaling \$10,000,000: \$720,000 for Rideshare Implementation, \$7,280,000 for the Carpool Program, and \$2,000,000 for the Vanpool Program; direct \$1,785,000 from 511 Next Gen to the Commuter Benefits program; direct \$1,000,000 in un-programmed balances to SMART's Multi-Use Pathway; transfer \$1,000,000 from MTC's Casual Carpool project to MTC's Eastbay Commuter Parking project within the Bay Bridge Forward program, as the former will be funded with non-federal funds; transfer \$500,000 from the Freeway Performance Initiative program and \$500,000 in un-programmed balances to US 101/Marin Sonoma Narrow's B2 Phase 2 project in the Regional Active Operational Management Program; shift \$40,000,000 from the BART Car Replacement/Expansion project to the Golden Gate Bridge Suicide Deterrent project and \$13 million from MTC's Clipper project to un-programmed balances within the Transit Priorities program as part of a RM2 funding action to address a cost increase on the Golden Gate Bridge Suicide Deterrent project; and program \$5,990,000 to Alameda County's Safe Routes to School Program in the County Program.

On March 22, 2017, Attachment B-1 was revised to program \$17,000,000 in un-programmed balances within the Regional Transit Priorities Program to MTC's Clipper Program, as part of the FY17 Transit Capital Priorities program.

On April 26, 2017, Attachment B-2 was revised to program \$1,655,000 to the Sonoma Safe Routes to School program; and redirect \$1,000 from Contra Costa Transportation Authority's Planning Activities Base to its discretionary balance and \$1,000 from San Francisco County Transportation Authority's Planning Activities Base to its discretionary balance to address an inconsistency between amounts programmed to planning activities in Appendix A-3 and reflect actual amounts obligated for planning.

On May 24, 2017, Attachment B-1 was revised to redirect \$1,237,000 from 511 Next Gen to AOM Implementation within the Regional Active Operational Management program to reflect re-organization of staff between program elements; direct \$18,000,000 in Arterial/Transit Performance to the Program for Arterial System Synchronization (\$5,000,000) and the Next Gen Arterial Operations Program (\$13,000,000) within the Regional Active Operational Management program; direct \$19,000,000 from the Transportation Management System (TMS) Field Equipment Devices Operations and Maintenance to TMS Implementation (\$2,910,000), Performance-Based Intelligent

ABSTRACT

MTC Resolution No. 4202, Revised

Page 3

Transportation Systems Device Maintenance and Rehabilitation (\$5,940,000), Transportation Management Center Asset Upgrade and Replacement (\$4,000,000), I-880 Communication Upgrade and Infrastructure Gap Closures (\$4,000,000) and a Detection Technology Pilot (\$5,000,000) within the Regional Active Operational Management program; and remove \$290,556 in un-programmed balances from the Regional Active Operational Management program to address over-programming in a previous cycles of the STP/CMAQ regional programs.

On June 28, 2017, Attachments B-1 and B-2 were revised to reprogram \$1,000,000 from the SMART Pathway – 2nd to Andersen to San Rafael’s Grand Ave Bike/Pedestrian Improvements within the Regional Climate Initiatives program as part of a funding exchange within the City of San Rafael, conditioned on San Rafael committing \$1 million in non-federal funds to the construction of the pathway, and a resolution of local support for the use of federal funds on the Grand Ave project, and TAM approval of the redirection of local measure funds between the projects; split out \$8,729,000 from the 511 Next Gen program to 511 Implementation within the Regional Active Operational Management program; program \$1,250,000 to Golden Gate Bridge Highway and Transportation District for the Bettini Transit Center as part of the Marin County Program; and program \$2,617,000 within the San Mateo County Program to the San Mateo County Office of Education for the SRTS program, including \$223,000 in supplemental funds from San Mateo’s discretionary balance.

On July 26, 2017, Attachment B-1 was revised to program \$12,000,000 to the US 101 Marin Sonoma Narrows project as part of a fund exchange agreement with Sonoma County Transportation Authority; \$11,000,000 in exchange funds are added to the program for tracking purposes, with the final \$1 million in exchange funds to be identified through a future Commission action.

On September 27, 2017, Attachment B-1 was revised to change the name of the Next Gen Arterial Operations Program (NGAOP) to Innovative Deployment for Enhanced Arterials (IDEA) to reflect program rebranding and additional focus on advanced technologies; program \$4,160,000 to Incident Management Implementation and \$8,840,000 to I-880 Integrated Corridor Mobility project within the Regional Active Operational Management program; split out the Connected Vehicles/Shared Mobility program into the Connected Vehicles/Automated Vehicles program for \$2,500,000 and the Shared Use Mobility program for \$2,500,000; and program \$16,000,000 for three corridors within the Freeway Performance Program, with \$8,000,000 for I-680, \$3,000,000 for I-880, and \$5,000,000 for SR-84.

ABSTRACT

MTC Resolution No. 4202, Revised

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On October 25, 2017, Attachment B-1 was revised to program \$10,000,000 to the Bay Area Air Quality Management District for the Spare the Air program, in lieu of the Electric Vehicle Programs within the Regional Climate Initiatives Program, conditioned on the Air District contribution of an additional \$10 million to advance implementation of electric vehicles within the region.

On November 15, 2017, Attachment B-2 was revised to program \$200,000 in the Alameda County Program to the I-580 Corridor Study, to support a joint corridor study between Alameda County Transportation Commission (ACTC) and MTC; \$122,000 within the Napa County Program to Napa Valley Transportation Authority (NVTA) for the Napa County Safe Routes to School (SRTS) Program; and \$300,000 within the Contra Costa County Program to San Ramon for the San Ramon Valley Street Smarts Program.

On December 20, 2017, Attachments A, Appendix A-3, B-1, and B-2 were revised to program \$334 million in the County Program to local and county projects recommended by the nine Congestion Management Agencies (CMAs); redirect \$10,248,000 from BART Car Replacement/Expansion to Clipper within the Regional Transit Priorities Program; revise the CMA Planning Activities funding amounts to reflect the supplementary funds requested by several CMAs through their County Programs; and clarify the program details for the Local Housing Production Incentive program (also known as the *80K by 2020 Challenge Grant*).

On January 24, 2018, Attachment B-1 was revised to redirect \$4,100,000 from Performance-Based ITS Device Maintenance and Rehabilitation to I-880 Communication Upgrade and Infrastructure Gap Closures, within the Transportation Management System program.

On February 28, 2018, Attachments B-1 and B-2 were revised to program \$13 million in Innovative Deployments to Enhance Arterials (IDEA) program grants within the Regional Active Operational Management Program; redirect \$822,000 within Contra Costa County's Safe Routes to School Program (SRTS) for future SRTS projects; program \$2,813,000 to San Francisco SRTS Non-Infrastructure Program within the San Francisco County Program; and clarify MTC exchange fund projects.

On March 28, 2018, Attachment B-1 was revised to distribute the \$1.5 million Community-Based Transportation Planning Program among the nine county Congestion Management Areas

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MTC Resolution No. 4202, Revised

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(CMAs); clarify the limits of three Freeway Performance Program projects within the Regional Active Operational Management Program; and reflect the programming of \$30,000 in MTC exchange funds for Bay Area Greenprint Functionality Improvements, as part of the PCA program.

On April 25, 2018, Attachment B-1 was revised to program \$8,200,000 in Priority Conservation Area (PCA) grants within the North Bay PCA Program; \$3,400,000 to Sonoma County Transportation Authority (SCTA) for the Marin Sonoma Narrows B2 Phase 2 project, as part of an exchange agreement in which an equal amount of SCTA's future Regional Transportation Improvement Program (RTIP) funds will be programmed at MTC's discretion; \$7,288,000 in PDA Planning and Implementation grants; and \$500,000 to MTC for PDA Implementation.

On May 23, 2018, Attachments B-1 and B-2 were revised to change the project sponsor from MTC to VTA for the IDEA Program project at the Veteran's Administration Palo Alto Medical Center; redirect funds within the Santa Clara County OBAG 2 County Program to reduce San Jose's West San Carlos Urban Village Streetscape Improvements by \$2,050,000, redirecting \$1,000,000 from the project to Santa Clara's Saratoga Creek Trail Phase 1 and \$1,050,000 to Saratoga's Prospect Rd Complete Streets project; and direct an additional \$25,000 in unprogrammed balances within Santa Clara County OBAG 2 County Program to Saratoga's Prospect Rd Complete Streets project.

On June 27, 2018, Attachments B-1 and B-2 were revised to program \$800,000 to MTC's Carsharing Implementation and \$325,000 to Targeted Transportation Alternatives within the Climate Initiatives Program; redirect from MTC's 511 NextGen program \$8,271,000 to 511 Implementation, \$2,000,000 to Contra Costa Transportation Authority's (CCTA's) I-80 Central Ave Interchange Improvements project, and \$380,000 to an unprogrammed balance within the Regional Active Operational Management program; clarify the scope of MTC's Freeway Performance Program I-880 to reflect the project limits of I-80 to I-280; and redirect \$1,394,000 from Vallejo's Local Streets Rehabilitation project to Fairfield's Heart of Fairfield project within the Solano County Program.

On July 25, 2018, Attachment B-1 was revised to program \$1,600,000 to Santa Clara Valley Transportation Authority (VTA) for the SR 85 Transit Guideway Study as part of a fund exchange agreement; remove Rohnert Park's \$65,000 Central Rohnert Park PDA/Creekside Neighborhood Subarea Connector Path Technical Assistance grant from the Regional PDA

ABSTRACT

MTC Resolution No. 4202, Revised

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Planning Grant program as it will be funded through a prior cycle; reduce the funding for Windsor's PDA Planning and Implementation Staffing Assistance grant by \$85,000 as this project will receive an equivalent amount of funds through a prior cycle; a total of \$150,000 balance created by these two revisions was returned to the Regional PDA Planning Grant Program un-programmed balance.

On September 12, 2018, Attachments B-1 and B-2 were revised to program \$3,000,000 within the Freeway Performance Program to the US 101 corridor in San Mateo and Santa Clara counties; direct an additional \$6,000,000 within the Freeway Performance Program to the I-680 corridor within Contra Costa County, \$4,000,000 of which is part of an exchange agreement with Contra Costa Transportation Authority (CCTA); redirect \$15,000 within the Innovative Deployment for Enhanced Arterials (IDEA) program from IDEA Technical Assistance to VTA's IDEA grant at the Veterans Affairs Palo Alto Medical Center; redirect \$48,000 from MTC's Clipper to the BART Car Replacement/Expansion project within the Transit Priorities program to reflect program amounts previously adopted through the Transit Capital Priorities (TCP) program; revise the amount programmed to VTA's SR 85 Transit Guideway Study within Regional Strategic Initiatives to \$1,200,000 to reflect amount previously approved; redirect \$1,214,000 from Berkeley's North Shattuck Avenue Rehabilitation project to its Southside Complete Streets and Transit Improvements project within the Alameda County Program; from Sunnyvale's East Sunnyvale Area Sense of Place Improvements, redirect \$1,000,000 to Los Altos' Miramonte Ave Bicycle and Pedestrian Access Improvements and \$1,140,000 to the Safe Routes to School program balance within the Santa Clara County Program; and program \$4,500,000 available from a previous funding cycle to the following projects within Regional Strategic Initiatives: \$617,000 to Novato's Pavement Rehabilitation (for Downtown Novato SMART Station) as part of a local funding exchange, \$1,120,000 to the Transportation Authority of Marin (TAM) for the Old Redwood Highway Multi-Use Pathway project, \$763,000 for San Rafael's Grand Ave Bridge project, and \$2,000,000 to TAM for the US 101 Marin Sonoma Narrows project.

On November 28, 2018, Attachment B-1 was revised to make adjustments related to the MTC/SCVTA Funding Exchange Agreement MTC Resolution No. 4356 and to the MTC/CCTA Funding Exchange Agreement MTC Resolution No. 4357, and to program \$4,000,000 in MTC exchange funds in accordance with MTC Resolution 3989, to the following projects: \$619,000 to CCTA for Innovative Deployment for Enhanced Arterials; \$621,000 to the city of Walnut Creek for innovative Deployment for Enhanced Arterials; \$500,000 to the city of Richmond for the

ABSTRACT

MTC Resolution No. 4202, Revised

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Richmond-San Rafael Bridge Bikeway Access; \$1,160,000 to MTC for Richmond-San Rafael Bridge Forward; and \$1,100,000 to MTC for Napa Valley Transportation Demand.

On December 19, 2018, Attachments B-1 and B-2 were revised to redirect \$5,200,000 from MTC's I-880 Integrated Corridor Management (ICM) Central Segment to the I-880 ICM Northern Segment project within the Regional Active Operational Management Program; clarify the Diridon Integrated Station Area Concept Plan project within the Regional Priority Development Planning and Implementation Program to reference Santa Clara Valley Transportation Authority (VTA) as a project partner; within the Santa Clara County Program, redirect \$794,000 in unprogrammed balances to Sunnyvale's East Sunnyvale Sense of Place Improvements, clarify the remaining unprogrammed balance is discretionary, and clarify the division of funding for Santa Clara's Saratoga Creek Trail Phase 1 project between the county's Safe Routes to School program and its discretionary program.

On January 23, 2019, Attachment B-2 was revised to redirect \$15,980,000 within the San Francisco County Program from the Better Market Street project to the Central Subway project.

On February 27, 2019, Attachment B-1 was revised to change the fund source of \$3,779,849 programmed to the Golden Gate Bridge Suicide Deterrent in Surface Transportation Block Grant Program (STP) funds to federal Highway Infrastructure Program (STP Bump) funds provided in the Consolidated Appropriations Act, 2018. Of the \$3,779,849 freed up by this swap, \$1,000,000 is returned to the region's STP/CMAQ balance to help address the CMAQ shortfall as a result of the region becoming attainment for carbon monoxide (CO) and therefore receiving less CMAQ funds which are distributed based on air quality status. The remaining \$2,779,849 is held for future Commission action.

On March 27, 2019, Attachment A, Appendix A-8, Appendix A-10, and Attachment B-1 were revised to clarify provisions pertaining to the interim status report requirements for Priority Development Area (PDA) Investment & Growth Strategies; change the recipient of the Concord IDEA project from CCTA to the City of Concord and reduce the MTC Exchange funding from \$619,000 to \$589,000; and redirect the \$30,000 in MTC Exchange funds to a new MTC-led Concord IDEA project.

On June 26, 2019, Attachment B-2 was revised to program \$822,000 in unprogrammed Safe Routes to School Program (SRTS) balances within the Contra Costa County Program to six

ABSTRACT

MTC Resolution No. 4202, Revised

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existing projects; and to redirect \$251,000 within the San Mateo County Program from Atherton's Middlefield Road Class II Bike Lanes to its James Avenue Rehabilitation.

On July 24, 2019, Attachment A was revised to delegate authority to the Executive Director or designee to sign Letters of Understanding for the exchange of STP/CMAQ funds with other regions, within certain conditions and limitations, and to delegate to a Committee of the Commission the authority to approve exchanges beyond these conditions and limitations.

On September 25, 2019, Attachments B-1 and B-2 were revised to clarify that the \$300,000 programmed to Alameda County Transportation Commission (ACTC) within the Community Based Transportation Plan (CBTP) Updates program will be directed to its Congestion Management Agency (CMA) Planning program as part of an internal fund exchange within ACTC; redirect \$9.6 million from 511 Implementation to 511 Next Gen within the Bay Area 511 Traveler Information Program; within the Freeway Performance Program redirect \$625,000 in from MTC's SR 84 (US 101 to I-880) to the environmental phase of MTC's I-580 WB HOV Lane Extension project and change the project sponsor of the I-80/Central Ave. Interchange Improvements project from the Contra Costa Transportation Authority (CCTA) to City of Richmond; within the Innovative Deployment to Enhance Arterials (IDEA) program, clarify that LAVTA is a partner agency for the Dublin Category 2 IDEA project; within the Transportation Management Systems (TMS) program, change the name of the overall program to Connected Bay Area, redirect \$2 million from the Detection Technology Pilot project and \$1.8 million from the Performance-Based ITS Device Maintenance and Rehabilitation project to provide an additional \$3.8 million to the I-880 Communications Upgrade and Infrastructure Gap Closures project; within the Incident Management program, redirect \$1 million from MTC's I-880 Integrated Corridor Management (ICM) Central Segment to the Northern Segment; within the San Francisco County program, redirect \$3,366,000 from John Yehall Chin Elementary Safe Routes to School (SRTS) Improvement; and within the Santa Clara County program, redirect \$1 million from Los Altos' Miramonte Ave Bicycle and Pedestrian Access Improvements project to Cupertino's McClellan Rd Separated Bike Lane project, and program \$1,346,000 in unprogrammed discretionary balances to Campbell's Harriet Ave Sidewalk project and Los Gatos Shannon Rd Complete Streets project.

On October 23, 2019, Attachment B-1 was revised to redirect \$3 million from MTC's Detection Technology Pilot project to establish the InterConnect Bay Area grant program within the Connected Bay Area program; direct \$5 million (\$4 million Solano County and \$1 million other

ABSTRACT

MTC Resolution No. 4202, Revised

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North Bay counties) within the Housing Incentive Pool program to establish the Sub-HIP program, with specific projects to be recommended through future programming actions; and program \$1 million to BART for AB2923 Implementation from unprogrammed balances within the PDA Planning & Implementation program.

On November 20, 2019, Attachments B-1 and B-2 were revised to program \$6,023,000 in MTC exchange funds in accordance with MTC Resolution No. 3989 to 13 projects within the Priority Conservation Area (PCA) Grants program; and within the Contra Costa County program, redirect \$1,025,000 from Brentwood's Various Streets and Roads Preservation project to Pittsburg's Pavement Improvements project, redirect \$618,000 from San Pablo's Market Street Pavement Rehabilitation project to Giant Road Pavement Rehabilitation project; and revise the name of Walnut Creek's Ygnacio Valley Road Rehabilitation project to reflect the latest proposed scope of work.

On February 26, 2020, Attachments A, B-1, and B-2 were revised to program \$1 million to MTC for SR 37 corridor planning in Marin, Napa, Solano, and Sonoma Counties and \$3 million to MTC for I-80 corridor planning from the Carquinez Bridge to the San Francisco-Oakland Bay Bridge (SFOBB) Toll Plaza within the Freeway Performance Program; revise the name of the Concord Willow Pass Road Rehabilitation and Safe Routes to School project within the Contra Costa County Program to reflect the project's current scope; and clarify language within the OBAG 2 Project Selection Criteria and Programming Policy to reflect the Commission adoption of Housing Incentive Pool (HIP) program guidelines, MTC Resolution No. 4348.

On May 27, 2020, Attachment B-1 was revised to clarify the scope of MTC's Freeway Performance Program planning-only project on I-80 extends from Carquinez Bridge in Contra Costa to Fremont Street in San Francisco; change the sponsor for three projects within the Regional Priority Conservation Area (PCA) Grant program; and to redirect \$104,000 in the North Bay Priority PCA Grant program from Novato's Carmel Open Space Acquisition project to Novato's Hill Area National Recreation Area, as the former project has been cancelled.

On July 22, 2020, Attachment B-1 was revised to program \$5 million to five projects in Solano, Marin, Napa, and Sonoma Counties within the Housing Incentive Pool Pilot Program (Sub-HIP) and program \$1 million to the Napa Valley Forward Traffic Calming and Multimodal Improvements project within the Freeway Performance Program (FPP); and incorporate \$7,681,887 in federal Highway Infrastructure Program apportionment provided through the

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MTC Resolution No. 4202, Revised

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Department of Transportation Appropriations Act, 2020 to the Golden Gate Bridge Suicide Deterrent.

On September 23, 2020, Attachment B-2 was revised to redirect \$2,000,000 from Napa's Silverado Trail Five-way Intersection Improvement project to Napa Valley Transportation Authority's Vine Transit Bus Maintenance Facility within the Napa County Program, and \$1,394,000 from Fairfield's Heart of Fairfield Improvements to its Cadenasso Dr. repaving project within the Solano County Program.

On November 20, 2020, Attachment B-1 was revised to program \$1,000,000 to SFCTA for the environmental phase of the Yerba Buena Island/Treasure Island Multi-Use Pathway project within the Priority Conservation Area (PCA) Grants program, with payback from BATA at a future date; \$647,000 in MTC exchange funds in accordance with MTC Resolution No. 3989 to four projects within the Priority Conservation Area (PCA) Grants program; and to clarify the project sponsor of the Old Redwood Highway Multi-Use Pathway project as Larkspur, rather than the Transportation Authority of Marin (TAM).

On January 27, 2021, Attachments A and Attachment B-1 were revised, and Appendix A-11 was added, to incorporate additional funding into the OBAG 2 framework, including \$52.9 million in STP/CMAQ program balances made available through FY2018-FY2020 appropriations of Federal Highway Infrastructure Program (FHIP) funds, and a \$1.5 million balance redirected from the Cycle 1 STP/CMAQ Climate Initiatives program, as part of the Safe & Seamless Mobility Quick-Strike program.

On February 24, 2021, Attachment B-1 was revised to program a total of \$7.91 million in Federal Highway Infrastructure Program (FHIP) funds provided in the Consolidated Appropriations Act, 2021, and project savings from previous STP/CMAQ cycles to the Golden Gate Bridge Highway and Transportation District (GGBHTD) for shareable costs of an increase to the Golden Gate Bridge Suicide Deterrent System. Because the final FFY 2021 FHIP amount is not yet available at the time of the Commission meeting, the final split between the two fund sources will be adjusted by staff as a technical change, with the total amount not to exceed \$7.91 million.

On April 28, 2021, Attachment B-1 was revised to change the fund source of \$13,942,852 from Federal Highway Infrastructure Program (FHIP) funds to Surface Transportation Block Grant

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MTC Resolution No. 4202, Revised

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(STP) funds for the Gate Bridge Highway and Transportation District (GGBHTD) for the Golden Gate Bridge Suicide Deterrent System project; program \$61,708,245 in STP/CMAQ funds, and \$13,942,852 in FHIP funds redirected from the GGB suicide deterrent system, to the Transportation Authority of Marin (TAM) for the US-101 Marin-Sonoma Narrows Segment B7 project as part of the SB1/RMS alternative funding plan; and program \$99,840,510 in STP/CMAQ funds to the Solano Transportation Authority (STA) for the Solano I-80 Express Lanes project as part of the SB1/RMS alternative funding plan. The programmed funding to TAM and STA serves as a loan to the project sponsors to permit the projects to move to construction while Regional Measure 3 funds are unavailable. The loaned funds shall be repaid to MTC as non-federal funds and will be subject to future OBAG programming.

On May 26, 2021, Attachment B-1 and Appendix A-11 were revised to program \$34,593,076 in Federal Highway Infrastructure Program funds made available through federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) to augment the Regional Safe and Seamless Mobility Quick-Strike program framework; and to program \$7,775,000 in Priority Development Area (PDA) Planning and Implementation grants and \$87,000 in Regional PDA Supportive Studies within the Regional PDA Planning and Implementation program.

On June 23, 2021, Attachment B-1 was revised to program \$83,118,000 to various local and regional projects within the Regional Safe and Seamless Mobility Quick-Strike program; and program \$1,000,000 in project savings from previous fund cycles to VTA's Diridon Station Planning and Studies project as part of the Regional Strategic Initiatives program.

On July 28, 2021, Attachments A, B-1, and B-2 were revised to: temporarily increase the delegated authority amount the Executive Director may authorize for STP/CMAQ exchanges from \$2 million per region to \$100 million in total for federal fiscal year 2020-2021; to program \$4,667,000 to AC Transit for Bus Purchases and to reflect changes in program amounts and projects proposed for MTC regional exchange funds (in accordance with MTC Resolution No. 3989) as part of the funding arrangement for the Solano I-80 Express Lanes project; to program \$1,750,000 within the Regional Safe and Seamless Mobility Quick-Strike program; to transit integration planning efforts in Solano, Sonoma, and East Bay Counties; redirect \$130,000 in project savings from the County of Contra Costa Local Streets and Roads Preservation project to the City of Danville's San Ramon Valley Blvd. Improvements project (in lieu of the Diablo Road Trail project which will be provided an equivalent amount of non-federal funds from CCTA) and redirect \$350,000 in project savings from the County of Contra Costa Local Streets and Roads

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MTC Resolution No. 4202, Revised

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Preservation project to the City of Pinole's Safety Improvements at Appian Way and Marlesta Rd project within the Contra Costa County program; and to cancel the \$4,655,000 El Camino Real Pedestrian Safety & Streetscape Improvements project in Palo Alto, direct \$41,428 from the cancelled project to Campbell's Harriet Avenue Sidewalk project, and leave the remaining \$4,614,572 balance unprogrammed within the Santa Clara county program.

On September 22, 2021, Attachment B-1 was revised to program \$4,191,538 to various projects within the Regional Safe & Seamless Mobility Quick-Strike program; \$184,000 in prior cycle project savings to San Mateo County's Broadmoor SRTS Pedestrian Safety and Mobility Improvements project within the Regional Strategic Investments program; and to redirect \$800,000 from MTC's Carsharing Implementation project and \$1,848,099 from the Climate Initiatives unprogrammed balance to various projects within the Mobility Hubs Pilot Program.

On November 17, 2021, Attachment B-2 was revised to redirect \$948,000 from the City of Redwood City's US-101/Woodside Rd. Class I Bikeway project to the following projects: Daly City's Southgate Avenue and School Street Safety Improvements (\$450,000) and Millbrae's Park Boulevard and Santa Teresa Way Improvements (\$347,000), leaving an unprogrammed balance of \$151,000 in the San Mateo County Program.

Further discussion of the project selection criteria and programming policy is contained in the memorandum to the Programming and Allocations Committee dated November 4, 2015, July 13, 2016, October 12, 2016, December 14, 2016, February 8, 2017 (action deferred to March 2017), March 8, 2017, April 12, 2017, May 10, 2017, June 14, 2017, July 12, 2017, September 13, 2017, October 11, 2017, November 8, 2017, December 13, 2017, January 10, 2018, February 14, 2018, March 7, 2018, and April 11, 2018; the Planning Committee dated April 6, 2018; and the Programming and Allocations Committee dated May 9, 2018, June 13, 2018, July 11, 2018, September 12, 2018, November 14, 2018, December 12, 2018, January 9, 2019, February 13, 2019, March 6, 2019, June 12, 2019, July 10, 2019, September 4, 2019, October 9, 2019, November 13, 2019, February 12, 2020, May 13, 2020, July 8, 2020, September 9 2020, November 4, 2020, January 13, 2021, February 10, 2021, April 14, 2021, and May 12, 2021; and the Planning Committee dated May 14, 2021; and the Programming and Allocations Committee dated June 9, 2021, July 14, 2021; September 8, 2021; and the Planning Committee dated September 10, 2021; and the Programming and Allocations Committee dated November 10, 2021.

Date: November 18, 2015
W.I.: 1512
Referred By: Programming & Allocations

RE: One Bay Area Grant Program Second Round (OBAG 2) Project Selection Criteria and Programming Policy

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4202

WHEREAS, the Metropolitan Transportation Commission (MTC) is the Regional Transportation Planning Agency (RTPA) for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region and is required to prepare and endorse a Transportation Improvement Program (TIP) which includes federal funds; and

WHEREAS, MTC is the designated recipient for state and federal funding assigned to the RTPA/MPO of the San Francisco Bay Area for the programming of projects; and

WHEREAS, state and federal funds assigned for RTPA/MPO programming discretion are subject to availability and must be used within prescribed funding deadlines regardless of project readiness; and

WHEREAS, MTC, in cooperation with the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC), California Department of Transportation (Caltrans), Congestion Management Agencies (CMAs), county Transportation Authorities (TAs), transit operators, counties, cities, and interested stakeholders, has developed criteria, policies and procedures to be used in the selection of projects to be funded with various funding including regional federal funds as set forth in Attachments A, B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS, using the policies set forth in Attachment A of this Resolution, MTC, in cooperation with the Bay Area Partnership and interested stakeholders, will develop a program of projects to be funded with these funds for inclusion in the federal TIP, as set forth in Attachments B-1 and B-2 of this Resolution, incorporated herein as though set forth at length; and

WHEREAS the federal TIP and subsequent TIP amendments and updates are subject to public review and comment; now therefore be it

RESOLVED that MTC approves the “Project Selection Criteria and Programming Policy” for projects to be funded in the OBAG 2 Program as set forth in Attachments A, B-1 and B-2 of this Resolution; and be it further

RESOLVED that the regional discretionary funding shall be pooled and distributed on a regional basis for implementation of project selection criteria, policies, procedures and programming, consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED that the projects will be included in the federal TIP subject to final federal approval and requirements; and be it further

RESOLVED that the Executive Director or designee may make technical adjustments and other non-substantial revisions, including updates to fund sources and distributions to reflect final funding criteria and availability; and be it further

RESOLVED that the Executive Director or designee is authorized to revise Attachments B-1 and B-2 as necessary to reflect the programming of projects as the projects are selected, revised and included in the federal TIP; and be it further

RESOLVED that the Executive Director or designee shall make available a copy of this resolution, and attachments as may be required and appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on November 18, 2015

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2
 Adopted: 11/18/15-C
 Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
ALAMEDA COUNTY		
CMA Planning Activities		
Planning Activities Base	ACTC	\$5,489,000
Planning Activities - Supplemental	ACTC	\$2,800,000
Federal Aid Secondary (FAS)		
Alameda County: Various Streets & Roads Preservation	Alameda County	\$1,779,000
Safe Routes To School (SRTS)		
ACTC: Alameda County SRTS Non-Infrastructure Program	ACTC	\$5,340,000
County Program		
ACTC: Alameda County SRTS Non-Infrastructure Program - Supplemental	ACTC	\$1,959,000
Alameda: Central Ave Complete Street	Alameda	\$3,487,000
Alameda: Citywide Various Streets and Roads Preservation	Alameda	\$827,000
Alameda: Clement Ave Complete Street	Alameda	\$5,018,000
Alameda County: Meekland Ave Corridor Improvement, Phase II	Alameda County	\$9,300,000
Alameda County: Various Streets and Roads Preservation	Alameda County	\$2,171,000
Albany: San Pablo Ave and Buchanan St Pedestrian Improvements	Albany	\$340,000
Berkeley: Southside Complete Streets & Transit Improvements	Berkeley	\$8,335,000
Dublin: Dublin Blvd Rehabilitation	Dublin	\$661,000
Emeryville: Slurry Seal of Frontage Rd, 65th St, and Powell St	Emeryville	\$225,000
Fremont: Complete Streets Upgrade of Relinquished SR 84 in Centerville PDA	Fremont	\$7,695,000
Fremont: Various Streets and Roads Rehabilitation	Fremont	\$2,760,000
Hayward: Main St Complete Street	Hayward	\$1,675,000
Hayward: Winton Ave Complete Street	Hayward	\$1,750,000
Livermore: Annual Pavement Preservation	Livermore	\$1,382,000
MTC: I-580 Corridor Study	MTC	\$200,000
Newark: Thornton Ave Pavement Rehabilitation	Newark	\$592,000
Oakland: Lakeside Family Streets	Oakland	\$4,792,000
Oakland: Citywide Various Streets and Roads Rehabilitation	Oakland	\$4,895,000
Piedmont: Oakland Ave Improvements	Piedmont	\$168,000
Pleasanton: Hacienda Business Park Pavement Rehabilitation	Pleasanton	\$1,095,000
San Leandro: Washington Ave Rehabilitation	San Leandro	\$1,048,000
Union City: Dyer Rd Pavement Rehabilitation	Union City	\$872,000
ALAMEDA COUNTY	TOTAL:	\$76,655,000
CONTRA COSTA COUNTY		
CMA Planning Activities		
Planning Activities Base	CCTA	\$4,342,000
Federal Aid Secondary (FAS)		
Contra Costa County: Kirker Pass Rd Overlay	Contra Costa County	\$1,343,000
Safe Routes To School (SRTS)		
Antioch: L Street Pathway to Transit	Antioch	\$1,469,000
Concord: Willow Pass Road Rehab and SRTS	Concord	\$1,012,000
Contra Costa County: West County Walk & Bike Non-Infrastructure Prog.	Contra Costa County	\$561,000
Moraga: Moraga Way and Canyon Rd/Camino Pablo Improvements	Moraga	\$91,000
Pleasant Hill: Pleasant Hill Rd Improvements	Pleasant Hill	\$67,000
Richmond: Lincoln Elementary Pedestrian Enhancements	Richmond	\$497,000
San Ramon: San Ramon Valley Street Smarts Non-Infrastructure Program	San Ramon	\$391,000
County Program		
Antioch: Pavement Rehabilitation	Antioch	\$2,474,000
Brentwood: Various Streets and Roads Preservation	Brentwood	\$628,000
Clayton: Neighborhood Streets Rehabilitation	Clayton	\$308,000
Concord: Monument Blvd Class I Path	Concord	\$4,368,000

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2

Adopted: 11/18/15-C

Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
Concord: Willow Pass Road Rehab and SRTS	Concord	\$4,183,000
Contra Costa County: Local Streets and Roads Preservation	Contra Costa County	\$3,847,000
Danville: Camino Ramon Improvements	Danville	\$1,357,000
Danville: San Ramon Valley Blvd. Imps. (for: Diablo Road Trail)	San Ramon	\$130,000
El Cerrito: Carlson Blvd and Central Ave Pavement Rehabilitation	El Cerrito	\$544,000
El Cerrito: El Cerrito del Norte TOD Complete Streets Imps	El Cerrito	\$4,840,000
Hercules: Sycamore/Willow Pavement Rehabilitation	Hercules	\$492,000
Lafayette: Pleasant Hill Rd Pavement Rehabilitation	Lafayette	\$579,000
Martinez: Downtown Streets Rehabilitation	Martinez	\$846,000
Moraga: Moraga Way and Canyon Rd/Camino Pablo Improvements	Moraga	\$596,000
Oakley: Street Repair and Resurfacing	Oakley	\$969,000
Orinda: Orinda Way Pavement Rehabilitation	Orinda	\$620,000
Pinole: San Pablo Ave Rehabilitation	Pinole	\$586,000
Pinole: Safety Improvements at Appian Way and Marlesta Rd	Pinole	\$350,000
Pittsburg: BART Pedestrian and Bicycle Connectivity Improvements	Pittsburg	\$3,870,000
Pittsburg: Pavement Improvements	Pittsburg	\$2,410,000
Pleasant Hill: Pleasant Hill Rd Improvements	Pleasant Hill	\$920,000
Richmond: ADA Improvements on 7th, Central, Cutting, Giant Hwy	Richmond	\$2,205,000
San Pablo: Giant Rd Pavement Rehabilitation	San Pablo	\$618,000
San Ramon: Alcosta Blvd Pavement Rehabilitation	San Ramon	\$1,175,000
San Ramon: Iron Horse Bike and Pedestrian Overcrossings	San Ramon	\$4,840,000
Walnut Creek: Ygnacio Valley Rd Rehabilitation	Walnut Creek	\$2,608,000
CONTRA COSTA COUNTY	TOTAL:	\$56,136,000
MARIN COUNTY		
CMA Planning Activities		
Planning Activities Base	TAM	\$3,822,000
Federal Aid Secondary (FAS)		
County of Marin receives FAS funding directly from Caltrans		
Safe Routes To School (SRTS)		
Corte Madera: Paradise Dr Multi-Use Path (San Clement Dr to Seawolf Passage)	Corte Madera	\$595,000
San Anselmo: San Anselmo Bike Spine	San Anselmo	\$269,000
County Program		
GGBHTD: San Rafael Bettini Transit Center	GGBHTD	\$1,250,000
Novato: Nave Dr and Bel Marin Keys Blvd Preservation (for Novato Downtown SM	Novato	\$1,450,000
San Anselmo: Sir Francis Drake Blvd Pavement Rehab and Crossing Imps	San Anselmo	\$1,134,000
San Rafael: Francisco Blvd East Sidewalk Improvements	San Rafael	\$2,100,000
Sausalito: US 101/Bridgeway/Gate 6 Bicycle Improvements	Sausalito	\$250,000
MARIN COUNTY	TOTAL:	\$10,870,000
NAPA COUNTY		
CMA Planning Activities		
Planning Activities Base	NVTA	\$3,822,000
Federal Aid Secondary (FAS)		
County of Napa receives FAS funding directly from Caltrans		
Safe Routes To School (SRTS)		
NVTA: Napa County SRTS Non-Infrastructure Program	NVTA	\$122,000
St. Helena: Main St Pedestrian Improvements	St. Helena	\$393,000
County Program		
American Canyon: Green Island Rd Improvements	American Canyon	\$1,000,000
NVTA: Vine Transit Bus Maintenance Facility	NVTA	\$2,000,000
St. Helena: Main St Pedestrian Improvements	St. Helena	\$813,000

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2

Adopted: 11/18/15-C

Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
NAPA COUNTY	TOTAL:	\$8,150,000
SAN FRANCISCO COUNTY		
CMA Planning Activities		
Planning Activities Base	SFCTA	\$3,997,000
Planning Activities - Supplemental	SFCTA	\$1,900,000
Federal Aid Secondary (FAS)		
County of San Francisco is entirely urban and therefore does not receive FAS funding		
Safe Routes To School (SRTS)		
SFMTA: San Francisco SRTS Non-Infrastructure Program	SFMTA	\$1,797,000
County Program		
BART: Embarcadero Station New Northside Platform Elevator and Faregates	BART	\$2,000,000
Caltrain: Peninsula Corridor Electrification	Caltrain	\$11,188,000
SFMTA: Geary Bus Rapid Transit Phase 1	SFMTA	\$6,939,000
SFMTA: San Francisco SRTS Non-Infrastructure Program - Supplemental	SFMTA	\$1,016,000
SFMTA: Central Subway	SFMTA	\$15,980,000
SFDPW: Better Market Street	SFDPW	\$3,366,000
SAN FRANCISCO COUNTY	TOTAL:	\$48,183,000
SAN MATEO COUNTY		
CMA Planning Activities		
Planning Activities Base	C/CAG	\$3,822,000
Planning Activities - Supplemental	C/CAG	\$1,512,000
Federal Aid Secondary (FAS)		
County of San Mateo receives FAS funding directly from Caltrans		
Safe Routes To School (SRTS)		
C/CAG: San Mateo SRTS Non-Infrastructure Program	CCAG/COE	\$2,394,000
County Program		
Atherton: James Ave Rehabilitation	Atherton	\$251,000
Belmont: Various Streets Pavement Rehabilitation	Belmont	\$467,000
Belmont: Ralston Ave Corridor Bike/Ped Improvements	Belmont	\$1,000,000
Brisbane: Crocker Trail Commuter Connectivity Upgrades	Brisbane	\$885,000
Brisbane: Tunnel Ave Rehabilitation	Brisbane	\$137,000
Burlingame: Various Streets Resurfacing	Burlingame	\$571,000
Burlingame: Broadway PDA Lighting Improvements	Burlingame	\$720,000
Burlingame: Hoover School Area Sidewalk Improvements	Burlingame	\$700,000
C/CAG: San Mateo SRTS Non-Infrastructure Program - Supplemental	CCAG/COE	\$223,000
Colma: Mission Rd Bike/Ped Improvements	Colma	\$625,000
Daly City: Various Streets Pavement Resurfacing and Slurry Seal	Daly City	\$1,310,000
Daly City: Southgate Ave and School Street Safety Imps.	Daly City	\$450,000
East Palo Alto: Various Streets Resurfacing	East Palo Alto	\$416,000
Foster City: Various Streets Pavement Rehabilitation	Foster City	\$441,000
Half Moon Bay: Poplar Street Complete Streets	Half Moon Bay	\$1,202,000
Hillsborough: Various Streets Resurfacing	Hillsborough	\$408,000
Menlo Park: Santa Cruz and Middle Avenues Rehabilitation	Menlo Park	\$647,000
Millbrae: Various Streets Pavement Rehabilitation	Millbrae	\$387,000
Millbrae: Park Blvd & Santa Teresa Way Imps.	Millbrae	\$347,000
Pacifica: Citywide Curb Ramp Replacements	Pacifica	\$400,000
Pacifica: Various Streets Pavement Rehabilitation	Pacifica	\$671,000
Pacifica: Palmetto Sidewalk Improvements	Pacifica	\$330,000
Portola Valley: Various Streets Resurfacing	Portola Valley	\$201,000
Redwood City: Twin Dolphin Parkway Overlay	Redwood City	\$1,266,000

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2
 Adopted: 11/18/15-C
 Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
Redwood City: US 101/Woodside Rd Class I Bikeway	Redwood City	\$948,000
San Bruno: Huntington Transit Corridor Bicycle/Pedestrian and Related Imps	San Bruno	\$914,000
San Bruno: Various Streets Pavement Rehabilitation	San Bruno	\$673,000
San Carlos: Cedar and Brittan Ave Pavement Rehabilitation	San Carlos	\$575,000
San Carlos: Ped Enhancements Arroyo/Cedar and Hemlock/Orange	San Carlos	\$500,000
San Carlos: US 101/Holly Street Bike/Ped Overcrossing	San Carlos	\$1,000,000
San Mateo: Various Streets Pavement Rehabilitation	San Mateo	\$1,593,000
San Mateo: Laurie Meadows Ped/Bike Safety Improvements	San Mateo	\$987,000
San Mateo County: Canada Rd and Edgewood Rd Resurfacing	San Mateo County	\$892,000
San Mateo County: Countywide Pavement Maintenance	San Mateo County	\$1,072,000
South San Francisco: Various Streets Pavement Rehabilitation	South San Francisco	\$1,027,000
South San Francisco: Grand Boulevard Initiative Complete Street Imps	South San Francisco	\$1,000,000
Woodside: Various Streets Pavement Rehabilitation	Woodside	\$242,000
Woodside: Woodside Pathway Phase 3	Woodside	\$136,000
Unprogrammed balance	TBD	\$151,000
SAN MATEO COUNTY	TOTAL:	\$32,545,000
SANTA CLARA COUNTY		
CMA Planning Activities		
Planning Activities Base	VTA	\$6,078,000
Planning Activities - Supplemental	VTA	\$4,822,000
Federal Aid Secondary (FAS)		
Santa Clara County: Uvas Rd Rehabilitation	Santa Clara County	\$1,701,000
Safe Routes To School (SRTS)		
Campbell: Eden Ave Sidewalk Improvements	Campbell	\$555,000
Cupertino: McClellan Rd Separated Bike Lane	Cupertino	\$1,000,000
Palo Alto: Waverley Multi-Use Path, E. Meadow Dr. & Fabian Wy. Enhanced Bike	Palo Alto	\$919,000
San Jose: Mount Pleasant Schools Area Pedestrian & Bicycle Safety Imps.	San Jose	\$1,000,000
Santa Clara: Santa Clara Schools Access Improvements	Santa Clara	\$1,146,000
Santa Clara: Saratoga Creek Trail Phase 1	Santa Clara	\$339,000
Sunnyvale: Homestead Rd at Homestead High School Ped & Bike Imps.	Sunnyvale	\$1,000,000
Sunnyvale: Pedestrian and Bicyclist Infrastructure Improvements	Sunnyvale	\$919,000
County Program		
Campbell: Winchester Boulevard Overlay	Campbell	\$554,000
Campbell: Harriet Ave Sidewalk Project	Campbell	\$447,328
Cupertino: Pavement Management Program	Cupertino	\$769,000
Gilroy: Downtown Monterey St Rehabilitation	Gilroy	\$1,028,000
Los Altos: Fremont Ave Asphalt Concrete Overlay	Los Altos	\$336,000
Los Gatos: Los Gatos Creek Trail to Highway 9 Trailhead Connection	Los Gatos	\$343,000
Los Gatos: Shannon Rd Complete Streets	Los Gatos	\$940,100
Milpitas: Various Streets Resurfacing	Milpitas	\$1,609,000
Morgan Hill: East Dunne Ave Pavement Rehabilitation	Morgan Hill	\$857,000
Mountain View: West Middlefield Road Improvements	Mountain View	\$1,136,000
Palo Alto: Adobe Creek/Highway 101 Bicycle Pedestrian Bridge	Palo Alto	\$4,350,000
Palo Alto: North Ventura Coordinated Area Plan	Palo Alto	\$638,000
Palo Alto: Various Streets Resurfacing	Palo Alto	\$1,009,000
San Jose: Downtown San Jose Mobility, Streetscape, and Public Life Plan	San Jose	\$813,000
San Jose: East Side Alum Rock (east of 680) Urban Village Plan	San Jose	\$400,000
San Jose: McKee Road Vision Zero Priority Safety Corridor Improvements	San Jose	\$8,623,000
San Jose: Various Streets Pavement Rehabilitation	San Jose	\$14,597,000
San Jose: Tully Road Vision Zero Priority Safety Corridor Improvements	San Jose	\$8,599,000
San Jose: West San Carlos Urban Village Streetscape Improvements	San Jose	\$3,582,000

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2
 Adopted: 11/18/15-C
 Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
Santa Clara: Hetch-Hetchy Trail Phase 1	Santa Clara	\$790,000
Santa Clara: San Tomas Aquino Creek Trail Underpass	Santa Clara	\$2,449,000
Santa Clara: Saratoga Creek Trail Phase 1	Santa Clara	\$3,396,000
Santa Clara: Streets & Roads Preservation	Santa Clara	\$2,356,000
Santa Clara County: Capitol Expressway Rehabilitation	Santa Clara County	\$5,000,000
Santa Clara County: McKean Rd Pavement Rehabilitation	Santa Clara County	\$1,151,000
Saratoga: Prospect Rd Complete Streets	Saratoga	\$1,075,000
Saratoga: Saratoga Village Crosswalks & Sidewalks Rehabilitation	Saratoga	\$338,000
Sunnyvale: Bernardo Avenue Bicycle Underpass - EIR	Sunnyvale	\$500,000
Sunnyvale: East Sunnyvale Area Sense of Place Improvements	Sunnyvale	\$1,701,000
Sunnyvale: Fair Oaks Avenue Bikeway - Phase 2	Sunnyvale	\$782,000
Sunnyvale: Java Drive Road Diet & Bike Lanes	Sunnyvale	\$500,000
Sunnyvale: Lawrence Station Area Sidewalks & Bike Facilities	Sunnyvale	\$500,000
Sunnyvale: Peery Park Sense of Place Improvements	Sunnyvale	\$2,686,000
Sunnyvale: Traffic Signal Upgrades	Sunnyvale	\$2,566,000
VTA/Milpitas: Montague Exwy Pedestrian Overcrossing at Milpitas BART	VTA/Milpitas	\$3,560,000
Unprogrammed balance	TBD	\$4,613,572
SANTA CLARA COUNTY		TOTAL: \$104,073,000
SOLANO COUNTY		
CMA Planning Activities		
Planning Activities Base	STA	\$3,822,000
Planning Activities - Supplemental	STA	\$3,039,000
Federal Aid Secondary (FAS)		
Solano County: County Roads Paving	Solano County	\$506,000
Solano County: Farm to Market Phase 2 Imps	Solano County	\$1,000,000
Safe Routes To School (SRTS)		
Fairfield: Grange Middle School SRTS Imps	Fairfield	\$260,000
STA: Countywide SRTS Non-Infrastructure Program	STA	\$1,209,000
County Program		
Benicia: Park Rd Improvements	Benicia	\$2,731,000
Fairfield: Cadenasso Dr Repaving	Fairfield	\$1,394,000
Suisun City: Railroad Ave Repaving	Suisun City	\$491,000
STA: Vacaville Jepson Parkway Phase 3 Bike Path	STA	\$1,407,000
STA: Solano Mobility Call Center	STA	\$1,537,000
Vacaville: VacaValley/I-505 Roundabouts	Vacaville	\$1,907,000
Vacaville: Local Streets Overlay	Vacaville	\$1,193,000
Vallejo: Sacramento St Rehabilitation	Vallejo	\$681,000
SOLANO COUNTY		TOTAL: \$21,177,000
SONOMA COUNTY		
CMA Planning Activities		
Planning Activities Base	SCTA	\$3,822,000
Planning Activities - Supplemental	SCTA	\$1,178,000
Federal Aid Secondary (FAS)		
Sonoma County: River Road Pavement Rehabilitation	Sonoma County	\$3,264,000
Safe Routes To School (SRTS)		
SCTA: Sonoma County Safe Routes To School (SRTS)	SCTA	\$1,655,000
County Program		
Cotati: E. Cotati Avenue Street Rehabilitation	Cotati	\$675,000
Healdsburg: Healdsburg Avenue Road Diet	Healdsburg	\$600,000
Petaluma: Petaluma Boulevard South Road Diet	Petaluma	\$2,916,000

Attachment B-2
MTC Resolution No. 4202
OBAG 2 County Programs
FY 2017-18 through FY 2021-22
November 2021

MTC Res. No. 4202 Attachment B-2
 Adopted: 11/18/15-C
 Revised: 07/27/16-C 12/21/16-C 04/26/17-C 06/28/17-C 11/15/17-C
 12/20/17-C 02/28/18-C 05/23/18-C 06/27/18-C 09/26/18-C
 12/19/18-C 01/23/19-C 06/26/19-C 09/25/19-C 11/20/19-C
 02/26/20-C 09/23/20-C 07/28/21-C 11/17/21-C

OBAG 2 County Programs Project List

PROJECT CATEGORY AND TITLE	SPONSOR	OBAG 2 STP/CMAQ
OBAG 2 COUNTY PROGRAMS		\$385,512,000
SMART: Petaluma SMART Pathway	SMART	\$400,000
Rohnert Park: Various Streets Rehabilitation	Rohnert Park	\$1,035,000
Santa Rosa: US 101 Bicycle and Pedestrian Bridge Overcrossing	Santa Rosa	\$1,418,000
Santa Rosa: Various Streets Rehabilitation	Santa Rosa	\$1,655,000
Sebastopol: Bodega Avenue Bike Lanes and Pavement Rehabilitation	Sebastopol	\$1,195,000
Sonoma (City) : New Fryer Creek Bicycle and Pedestrian Bridge	Sonoma (City)	\$501,000
Sonoma County: Various County Roads Rehabilitation	Sonoma County	\$2,600,000
Sonoma County: New Crocker Bridge Bike and Pedestrian Passage	Sonoma County	\$1,809,000
Windsor: Windsor River Road at Windsor Road Intersection Imps	Windsor	\$3,000,000
SONOMA COUNTY	TOTAL:	\$27,723,000
OBAG 2 COUNTY PROGRAMS	TOTAL:	\$385,512,000

Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 21-1170 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 9/2/2021 **In control:** Joint MTC ABAG Legislation Committee
On agenda: 11/12/2021 **Final action:**
Title: MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends
Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

Sponsors:

Indexes:

Code sections:

Attachments: [12a - 21-1170 - Reso 3931 Policy Advisory Council Update to Legis Committee.pdf](#)
[3a MTC Resolution 3931 Revised Policy Advisory Council Update to Legislation Committee.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends

Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

Presenter:

Kỳ-Nam Miller and Marti Paschal

Recommended Action:

MTC Commission Approval

Attachments:

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

November 12, 2021

Agenda Item 3a

MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends

Subject:

Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

Summary:

MTC Resolution No. 3931, Revised, which created the MTC Policy Advisory Council (“Council”), calls for recruitment and appointment of a new Council every four years. All voting Commissioners have reviewed the applications and affirmatively named their appointments. Staff is also recommending increasing the meeting stipend for the first time since the Policy Advisory Council was established in 2010.

Background:

The Council consists of 27 members, one third (9) representing communities of color, environmental justice or low-income interests; one third (9) representing older adults (a.k.a. “senior”) or disabled interests; and one third (9) represent economic and environmental interests. Current advisors were eligible for reappointment for a new term, provided they re-apply, along with new candidates.

Nine Council members — one from each county — are to represent low-income communities and communities of color, with four aligned with low-income communities, four representing communities of color, with the ninth member coming from either category. The same formula holds for the nine members representing older adults and persons with disabilities (one from each county, with four from each category and the ninth member coming from either). These advisors are recommended for appointment by the Commissioners from their particular county.

Of the nine members representing economic and environmental interests, four represent the economy, and four represent the environment, with the ninth member selected from either category. These advisors are recommended for appointment by the Commission chair and vice chair on an at-large basis; with at least one member each from the five most populous Bay Area counties — Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara.

Recruitment Results:

The recruitment window lasted seven weeks from June 14 – August 1, 2021. The recruitment announcement and online application were posted to MTC’s website, and a press release was picked up in the local press and shared on social media sites including LinkedIn, Facebook, and Twitter. An announcement was also included in MTC’s E-newsletter to 33,200 individuals (including our partner agencies), subscribers to our headlines (15,600 people), as well as a blog post (1,700 subscribers). In addition, hundreds of postcards were distributed via libraries in all nine counties to reach those without internet access.

132 applications were submitted for the 27 available seats, including 17 applications from current advisors. Applicants included individuals from a range of fields including academics, business professionals, community leaders and transportation system users. The candidates possessed a rich array of skills and experiences, and this year’s recruitment pool stood out for its deep knowledge and demonstrated commitment to improving the quality of life for all Bay Area residents.

Selection and Appointment:

Staff completed an initial review of the applicants for experience and availability to attend Council meetings. Following this initial assessment, staff did a second assessment - including group Zoom interviews with non-incumbents – to further assess the extremely well-qualified pool of candidates. Following these assessments, staff made an initial set of recommendations, while also sharing application materials from all of the candidates' to the relevant Commissioners for consideration. Staff received recommendations from all voting members of the Commission. The recommended candidates are included at the end of this memo.

Compensation:

Dating back to when the current iteration of the Policy Advisory Council was established in 2009, Members have been provided with a \$50 stipend per meeting (up to 3 meetings per calendar month), along with transportation costs. During the recruitment period, a number of candidates asked whether the compensation and stipend policy would be updated to lower participation barriers for representatives from low-income and other historically excluded

communities. A survey of other regional bodies indicated that meeting stipends go significantly higher. For example, the California Air Resource Board, the San Francisco Bay Conservation and Development Commission, and the Bay Area Air Quality Management District pay their advisory board members upwards of \$500 per meeting.

Issues:

Representation on the Council reflecting the Bay Area's diverse communities and constituencies.

Staff Recommendations:

MTC Resolution No. 1058 currently states that Policy Advisory Council Members' stipends be set at \$50 per meeting while Commissioners are paid \$100 stipends per meeting. Staff recommends that the Joint MTC ABAG Legislation Committee request the Administration Committee update MTC Resolution No. 1058 to increase Policy Advisory Council Members' stipends to \$100 per meeting compensation for up to three (3) meetings in any calendar month. Staff requests Staff further recommends that you refer MTC Resolution No. 3931, Revised, to appoint the Policy Advisory Council members for the new term to the Commission for approval.

Attachments:

- Attachment A: MTC Resolution No. 3931, Revised
- Attachment B: MTC Resolution No. 1058, Appendix D


Alix A. Bockelman

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/24/10-C 02/23/11-C
02/22/12-C 07/25/12-C
03/27/13-C 07/24/13-C
07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C
10/26/16-C 07/26/17-C
10/25/17-C 04/24/19-C
07/24/19-C 02/26/20-C
12/16/20-C 03/24/21-C
11/17/21-C

ABSTRACT

Resolution No. 3931, Revised

This resolution defines the role and responsibilities of the Commission's Policy Advisory Council.

This resolution supersedes Resolution No. 3516. Further discussion of this action is contained in the Executive Director's memorandum dated November 6, 2009. This resolution includes:

- Attachment A, which outlines the mission statement, roles, expectations, procedures, appointment process and membership criteria for the Council;

This resolution was revised on March 24, 2010, to include:

- Attachment B, a table listing the currently appointed advisors and their term.

This resolution was revised on February 23, 2011, to include revisions to Attachment B and:

- Attachment C, a table showing which advisors have been replaced and their replacements.

This resolution was revised on February 22, 2012 to extend the terms of the advisors identified in Attachment B through July 2013.

This resolution was revised on July 25, 2012, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 27, 2013, to add Conflict of Interest and Ethics Training policies to Attachment A.

This resolution was revised on July 24, 2013, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 23, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 19, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 25, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on September 23, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on October 26, 2016, to include revisions to Attachment A, Attachment B and Attachment C.

This resolution was revised on July 26, 2017 to extend the terms of the advisors identified in Attachment B through September or October 2017, depending on final 2017 recruitment appointment.

This resolution was revised on October 25, 2017, to include revisions to Attachment B and Attachment C.

This resolution was revised on April 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on February 26, 2020, to include revisions to Attachment B and Attachment C.

This resolution was revised on December 16, 2020 to extend the terms of the advisors identified in Attachment B through December 2021.

This resolution was revised on March 24, 2021, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 17, 2021, to include revisions to Attachment B and Attachment C.

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

RE: Commission Policy Advisory Council

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3931

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, MTC seeks to involve citizens of diverse backgrounds and interests in the development of transportation plans and programs, in a manner consistent with applicable state and federal requirements and Commission policy (Resolution No. 2648); and

WHEREAS, MTC seeks to focus its advisory processes around the “Three E” principles of sustainability outlined in the regional transportation plan: a prosperous and globally competitive economy; a healthy and safe environment; and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system; and

WHEREAS, MTC seeks to utilize its advisors to ensure that a wide spectrum of views are considered in developing transportation policy, and enhance the contributions and effectiveness of its advisors, now, therefore be it

RESOLVED, that the Commission establishes a Policy Advisory Council; and be it further

RESOLVED, that the members of the Policy Advisory Council will be appointed according to the process and shall have the role, tasks, membership and meetings as described in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Policy Advisory Council roster is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Executive Director is instructed to secure nominations to fill expired terms and other vacancies and present them to the Commission for confirmation by periodically revising Attachment B; and be it further

RESOLVED, that Resolution No. 3516, Revised, is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in Oakland, California, on November 18, 2009

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/27/13-C 10/26/16-C

Attachment A
Resolution No. 3931
Page 1 of 4

Attachment A
Metropolitan Transportation Commission
Policy Advisory Council

A. Mission Statement

The mission of the Metropolitan Transportation Commission's Policy Advisory Council (Council) is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC's jurisdiction and as assigned by the Commission.

B. Roles/Expectations

1. Advisors Provide Interest-Based and/or Geographic Perspectives

Advisors should represent the stakeholder interest under which they have been appointed. Although some advisors may be appointed based on an organizational affiliation, they should represent their constituency (not just their individual organization).

2. Responsibilities

Advisors will be expected to regularly attend their Council meetings and to maintain an ongoing engagement with organizations and individuals who make up the advisor's constituency.

3. Council Work Plan

The Commission will hold an annual workshop as a separately agendized meeting with the Policy Advisory Council to set the Council's work plan and schedule for the year. At this meeting, the Commission will identify several priority areas in which it desires feedback and/or research from the Council, and establish appropriate goals and performance measures. Advisors also will be given the opportunity to recommend initiatives of potential relevance to the Commission for inclusion in the work plan.

4. Reporting to the Commission

With the assistance of MTC staff, the Council will report on its work plan progress or present recommendations to the full Commission or MTC's standing committees, as appropriate.

5. Limitations on Advisor Activities

The role of the advisors is to advise the MTC Commission. Advisors are not to convey positions to outside agencies on behalf of the Council, independent of Commission action.

6. Conflict of Interest Policy

In order to avoid potential conflict of interest, no person shall sit on the Policy Advisory Council and concurrently be in a business relationship with MTC/BATA. A member is considered to have a business relationship with MTC/BATA when that member is employed by or serves on the Board of Directors of an organization that has received a grant or contract award from MTC – where MTC staff alone reviews proposals and recommends an organization or organizations for award of that grant or contract. In such cases, the member shall resign from the Council for the duration of the contract or grant, but may reapply for any vacancies upon completion of the contract or grant.

7. Ethics Training

All members of the Council shall complete an ethnics training course within the first year of their term on the Council.

C. Membership

The Council shall be composed of twenty-seven (27) members as follows.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent interests related to the communities of color, environmental justice and low-income issues. A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent the interests of disabled persons and seniors. A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

A total of nine (9) members shall be selected to represent interests related to the economy and the environment. A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category. Of these nine seats, at least five should be held by residents from each of the five most populous counties. The remaining four seats may be selected at large from throughout the entire Bay Area.

There shall be no alternates to the appointed membership.

D. Appointment Process

1. General

MTC staff shall secure nominations to fill terms and vacancies for the Council and present them to the appropriate Commissioners for confirmation. Appointments for advisors representing a particular county will be made by that county's Commissioners. Appointments for all the at-large advisors will be made by the Commission's chair and vice chair. Nominations for members of the Council will be solicited from a wide range of sources including, but not limited to: MTC Commissioners, current advisors, relevant organizations in the community, and via news releases or display ads sent to media outlets in the nine-county Bay Area.

2. Terms of Appointment

In general, advisors will serve four-year terms. Although there are no term limits, MTC Commissioners are to consider length of service and effectiveness before recommending the reappointment of advisors. All advisors wishing to be reappointed must reapply.

E. Procedures

Attendance and Participation

1. Advisors must attend at least two-thirds of the Council's regularly scheduled meetings each year and make a constructive contribution to the work of the Policy Advisory Council. Those who do not do so may be subject to dismissal from the Council at the discretion of the appointing Commissioner(s).

2. Residency Requirements

Advisors must live or work in the nine-county Bay Area.

3. Compensation

Subject to the Commission Procedures Manual (MTC Resolution No. 1058, Revised,

Appendix D), advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three meetings per month. Meetings are defined as a) publicly noticed meetings or meetings of ad hoc working groups of the Council; b) noticed MTC Commission or committee meetings; or c) attendance at a community meeting at the request of the Commission or MTC staff to provide outreach assistance (i.e., when he/she attends a community meeting with MTC staff to provide an introduction to a particular community).

4. Meeting Frequency and Location of Meetings

The Council will meet regularly as required by its annual work plan. Public meetings will be held at the MTC offices or other locations at a regular time to be agreed upon by the members of the Council.

5. Ad Hoc Working Groups

To implement its work plan, the Council may establish working groups, with participation from MTC staff, on an ad hoc basis.

6. Quorum Requirements

At least 50 percent plus one of the Council's appointed membership must be present to constitute a quorum and vote on issues. The Council can hold discussions in the absence of a quorum, but cannot vote.

7. Election of Council Chair and Vice Chair

The Council will have a chair and a vice-chair, to be elected by the council for a two-year term. Although Council officers may be reelected, regular rotation of these positions among the Council membership is strongly encouraged.

8. Public Meetings

All Council meetings and any ad hoc working group meetings will be noticed and open to the public.

Date: March 24, 2010
W.I.: 1114
Referred by: Legislation
Revised: 02/23/11-C 02/22/12-C 07/25/12-C
07/24/13-C 07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C 10/26/16-C
07/26/17-C 10/25/17-C 04/24/19-C
07/24/19-C 02/26/20-C 12/16/20-C
03/24/21-C 11/17/21-C

Attachment B
Resolution No. 3931
Page 1 of 1

**Metropolitan Transportation Commission
Policy Advisory Council
Term: January 2021 – December 2025**

Advisor Name	Representing	County	Appointing Commissioner(s)
Adina Levin	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Anne Olivia Eldred	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Carina Vinh Lieu	People of Color	Alameda	Dutra-Vernaci, Miley and Schaaf
Chris Fitzgerald	Disabled	Santa Clara	Chavez, Abe-Koga, and Liccardo
Christina Gotuaco	Low-Income/Environmental Justice	San Francisco	Vice Chair Josefowitz, Ronen, Ahn
Dwayne Hankerson	Disabled	Solano	Spering
Frank Welte	Disabled	Alameda	Dutra-Vernaci, Miley and Schaaf
Gabriela Yamilet Orantes	People of Color	Sonoma	Fleming, Rabbitt
Genay Markham	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Gerald Glaser	Older Adult	Sonoma	Fleming, Rabbitt
Hans Korve	Older Adult	Napa	Chair Pedroza (for Napa County)
Howard Wong	Older Adult	San Francisco	Vice Chair Josefowitz, Ronen, Ahn
Ilaf Esuf	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Michael Baldini	Low-Income/Environmental Justice	Napa	Chair Pedroza (for Napa County)
Pamela Campos	People of Color	San Mateo	Papan, Canepa
Phil Pierce	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Rachel Zack	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Randi Kinman	Low-Income/Environmental Justice	Santa Clara	Chavez, Abe-Koga, and Liccardo
Rich Hedges	Older Adult	San Mateo	Papan, Canepa
Rodney Nickens	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
Veda Florez	Older Adult	Marin	Connolly
Vinay Pimple	Disabled	Contra Costa	Glover, Worth
Walter Wilson	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Wendi Kallins	Low-Income/Environmental Justice	Marin	Connolly
William Goodwin	People of Color	Contra Costa	Glover, Worth
Zachary Deutsch-Gross	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
Benjamin Edokpayi	People of Color	Solano	Spering

Date: February 23, 2011
W.I.: 1114
Referred by: Legislation
Revised: 07/25/12-C 07/24/13-C
07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C
10/26/16-C 10/25/17-C
04/24/19-C 07/24/19-C
02/26/20-C 03/24/21-C
11/17/21-C
Attachment C
Resolution No. 3931
Page 1 of 2

**Metropolitan Transportation Commission
Policy Advisory Council
Former Advisors and Their Replacements**

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Andrew Casteel	March 2010 – June 2010	Environment	Sandi Galvez, Environment	February 23, 2011
Ann Hancock	March 2010 – July 2010	Environment	Tanya Narath, Environment	February 23, 2011
Allison M. Hughes	March 2010 – September 2011	Equity	Jim E. Blacksten, Equity	July 25, 2012
Evelina Molina	March 2010 – February 2012	Equity	Elizabeth A. Clary, Equity	July 25, 2012
Cheryl O'Connor	March 2010 – February 2012	Economy	Alan R. Talansky, Economy	July 25, 2012
Carmen Rojas	March 2010 – November 2010	Equity	Yokia Mason, Equity	February 23, 2011
Abigail Thorne-Lyman	March 2010 – June 2010	Environment	Tina King Neuhausel, Environment	February 23, 2011
Dolores Jaquez	March 2010 – July 2013	Equity	Elizabeth Clary, Equity	July 24, 2013
Federico Lopez	March 2010 – July 2013	Equity	Timothy Reeder, Equity	July 24, 2013
Yokia Mason	February 2011 – July 2013	Equity	Carlos Castellanos, Equity	July 24, 2013
Tanya Narath	February 2011 – July 2013	Environment	Chris Coursey, Environment	July 24, 2013
Tina King Neuhausel	February 2011 – July 2013	Environment	Linda Jeffrey Sailors, Environment	July 24, 2013
Kendal Oku	March 2010 – July 2013	Equity	Veda Florez, Equity	July 24, 2013
Lori Reese-Brown	March 2010 – July 2013	Equity	Richard Burnett, Equity	July 24, 2013
Frank Robertson	March 2010 – July 2013	Equity	Mark Nicholson, Equity	July 24, 2013
Dolly Sandoval	March 2010 – July 2013	Equity	Marie Marchese, Equity	July 24, 2013
Egon Terplan	March 2010 – July 2013	Environment	Benjamin Schweng, Environment	July 24, 2013
Jack Gray	July 2013 – April 2014	Economy	Cathleen Baker, Environment	July 23, 2014
Marie Marchese	July 2013 – October 2013	Equity	Harriet Wolf, Equity	November 19, 2014
Mordechai Winter	July 2013 – June 2014	Equity	Charles Kaufman, Equity	November 19, 2014
Cathleen Baker	March 2010 – July 2014	Equity	Shireen Malekafzali, Equity	November 19, 2014
Chris Coursey	July 2013 – November 2014	Environment	Cynthia Murray, Economy	March 25, 2015
Tim Reeder	July 2013 – December 2014	Equity	Michelle R. Hernandez, Equity	September 23, 2015
Bena Chang	March 2010 – November 2014	Economy	Scott Lane, Environment	September 23, 2015

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Joanne Busenbark	September 2013 – September 2015	Equity	Sudhir Chaudhary, Equity	October 26, 2016
Linda Jeffrey Sailors	July 2013 – May 2016	Environment	Sydney Fang, Environment	October 26, 2016
Gerald Rico	March 2010 – June 2016	Equity	Cathleen Baker, Equity	October 26, 2016
Sandi Galvez	February 2011 – June 2016	Environment	Jonathan Fearn, Economy	October 26, 2016
Cathleen Baker	July 2014 – October 2016	Environment	Anna Lee, Environment	October 26, 2016
Caroline Banuelos	March 2010 – October 2017	Equity	Adrian Mendoza, Equity	October 25, 2017
Naomi Armenta	March 2010 – October 2017	Equity	Abigail Cochran, Equity	October 25, 2017
Elizabeth A. Clary	July 2013 – October 2017	Equity	Rick Coates, Equity	October 25, 2017
Sydney Fang	October 2016 – October 2017	Environment	Wendi Kallins, Environment	October 25, 2017
Jonathan Fearn	October 2016 – October 2017	Economy	Teddy Ky-Nam Miller, Economy	October 25, 2017
Bob Glover	September 2013 – October 2017	Economy	Matt Regan, Economy	October 25, 2017
Charles Kaufman	November 2014 – October 2017	Equity	Marc Madden, Equity	October 25, 2017
Scott Lane	September 2015 – October 2017	Environment	Corinne Winter, Environment	October 25, 2017
Jerry Levine	July 2013 – October 2017	Environment	Adina Levin, Environment	October 25, 2017
Shireen Malekafzali	November 2014 – October 2017	Equity	Daniel Saver, Equity	October 25, 2017
Mark Nicholson	July 2013 – October 2017	Equity	Rahmon Momoh, Equity	October 25, 2017
Mike Pechner	July 2013 – October 2017	Equity	Richard Burnett, Equity	October 25, 2017
Alan R. Talansky	July 2012 – October 2017	Economy	Patrick Wolff, Economy	October 25, 2017
Harriet Wolf	November 2014 – October 2017	Equity	Michael Lopez, Equity	October 25, 2017
Richard Burnett	March 2010 – October 2017	Equity	K. Patrice Williams, Equity	October 25, 2017
Wil Din	September 2013 – October 2017	Equity	Jerri Diep, Equity	October 25, 2017
Corinne Winter	October 2017 – December 2018	Environment	Anne Olivia Eldred, Environment	April 24, 2019
Jerri Diep	October 2017 – January 2019	Equity	Daisy Ozim, Equity	July 24, 2019
Sudhir Chaudhary	October 2017 – March 2019	Equity	Terry Scott, Equity	February 26, 2020
Matt Regan	October 2017 – July 2018	Economy	Bob Glover, Economy	February 26, 2020
Teddy Ky-Nam Miller	October 2017 – July 2019	Economy	Christina Gotuaco, Economy	February 26, 2020
Patrick Wolff	October 2017 – October 2019	Economy	Walter Wilson, Economy	February 26, 2020
Daniel Saver	October 2017 – December 2019	Equity	Pamela Campos, Equity	January 12, 2022
Jim E. Blacksten	July 2012 – July 2020	Equity	Frank Welte, Equity	March 24, 2021
Cathleen Baker	October 2016 – July 2019	Equity	Michael Baldini, Equity	February 26, 2020
K. Patrice Williams	October 2017 – June 2020	Equity	Benjamin Edokpayi, Equity	January 12, 2022
Daisy Ozim	July 2019 – December 2020	Equity	Christina Gotuaco, Equity	January 12, 2022
Abigail Cochran	October 2017 – August 2021	Equity	Howard Wong, Equity	January 12, 2022
Adrian Mendoza	October 2017 – December 2021	Equity	Gabriela Yamilet Orantes, Equity	January 12, 2022
Anna Lee	October 2016 – March 2020	Environment	Genay Markham, Environment	January 12, 2022
Bob Glover	February 2020 – December 2021	Economy	Ilaf Esuf, Economy	January 12, 2022
Carlos Castellanos	2007 – December 2021	Equity	Carina Vinh Lieu	January 12, 2022

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Cynthia Murray	March 2015 – December 2021	Economy	Rodney K. Nickens, Economy	January 12, 2022
Marc Madden	October 2017 – December 2021	Equity	Phil Pierce, Environment	January 12, 2022
Michael Lopez	October 2017 – December 2021	Equity	Chris Fitzgerald, Equity	January 12, 2022
Michelle Hernandez	Sept. 2015 – December 2021	Equity	Vinay Pimple, Equity	January 12, 2022
Rahmon Momoh	October 2017 – December 2021	Equity	William Goodwin, Equity	January 12, 2022
Richard Burnett	March 2010 – December 2021	Equity	Dwayne Hankerson, Equity	January 12, 2022
Rick Coates	October 2017 – December 2021	Equity	Gerald Glaser, Equity	January 12, 2022
Terry Scott	February 2020 – December 2021	Equity	Hans Korve, Equity	January 12, 2022
Benjamin Schweng	July 2013 – December 2021	Environment	Rachel Zack, Environment	January 12, 2022

Date:	11/25/81	
W.I.:	11.1.1.0	
Referred by:	A&O	
Revised:	10/27/82	11/24/82
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	07/23/03	04/28/04
	01/25/06	04/26/06
	12/19/12	05/22/13
	01/28/15	03/25/15
	09/28/16	09/27/17
	06/27/18	07/24/19
	03/25/20	08/26/20

ABSTRACT

Resolution No. 1058, Revised

This resolution adopts the Commission Procedures Manual as revised and dated November 25, 1981. Resolution No. 1058 supersedes Resolution No. 745. Resolution No. 745 previously superseded Resolution No. 358.

Appendix A to the Commission Procedures Manual (MTC's Conflict of Interest Code) was revised by the Commission on October 27, 1982.

The Commission Procedures Manual was revised by the Commission on November 24, 1982 to amend the election of the Commission Chair and Vice-Chair to terms that begin in February of odd-numbered years.

The Commission Procedures Manual was revised by the Commission on November 27, 1985 to clarify some minor parliamentary procedures, to update information, and to revise Appendices B, D, and E so that those appendices supersede MTC Resolution Nos. 208, 348, 291, and 1057.

The Commission Procedures Manual was revised on February 25, 1987 to require all agendas to be posted at least 72 hours prior to meetings, special meeting agendas to be posted at least 24 hours prior to the meeting, to provide additional information on public comment, to clarify the approval authority of GR&AC and WPPRC Committees, and to allow flexibility in selection of the first meeting date of each new Commission term.

The Commission Procedures Manual was revised on September 23, 1987 to state that items on Commission and committee agendas are all subject to action.

The Commission Procedures Manual was revised on April 26, 1989 to revise the membership of standing committees, to add the Vice-Chair as an ex-officio member of all standing committees, and to allow per diem payments to any Commissioner attending any committee meeting.

The Commission Procedures Manual was revised on September 18, 1989 to clarify certain expense provisions in Appendix B.

Appendix E to the Commission Procedures Manual was revised by the Commission on September 26, 1990 to clarify certain delegations between the Grant Review and Allocations Committee and the Work Program and Plan Revision Committee.

The Commission Procedures Manual was revised on June 26, 1991 to change the membership of standing committees; to eliminate the Transportation Finance standing committee and change the name of the Work Program and Plan Revision Committee to the Work Program Committee; to update and clarify standing committee delegations and descriptions of special and advisory committees; and to update references.

Appendix D to the Commission Procedures Manual was revised on November 25, 1992 to add the Blue Ribbon Advisory Council to the list of Citizen Advisory Committees eligible for expense reimbursement.

The Commission Procedures Manual was revised on January 27, 1993 to delete provisions for reimbursement for meals of citizen advisors.

The Commission Procedures Manual was revised on December 15, 1993 to amend Section 3.08 to include further guidance regarding public comment at MTC meetings.

The Commission Procedures Manual was revised on May 24, 1995 to incorporate new MTC responsibilities, update references and committee information, make editorial changes, and delete Appendices F, G, H, and I. The revisions are summarized in the General Counsel's memorandum to the A&O Committee dated May 3, 1995.

The Commission Procedures Manual was revised on February 26, 1997 to amend the regular meeting date and times of MTC's standing committees.

The Commission Procedures Manual was revised on December 16, 1998 to update references, update special and advisory committees, add language regarding the designation of ad hoc committee members, and revise MTC's Conflict of Interest Code (Attachment A).

Appendix E to the Commission Procedures Manual was revised by the Commission on July 28, 1999 to rename: the Administration and Oversight Committee to the Administration Committee; the Grant Review and Allocations Committee to the Programming and Allocations Committee; the Legislation and Public Affairs Committee to the Legislation Committee; and the Work Program and Plan Revision Committee to the Planning and Operations Committee; and to restructure and clarify certain delegations among and between them.

Section 1.07 of the Commission Procedures Manual was revised on November 17, 1999 to allow commissioners to be reimbursed for up to five meetings in one day.

Appendix D to the Commission Procedures Manual was revised on February 26, 2003, to revise the reimbursement policy for advisors appointed by the Commission serving on the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee.

The Commission Procedures Manual was revised on July 23, 2003 to update references, update committees, and incorporate MTC's revised Conflict of Interest Code (Attachment A).

Appendix D to the Commission Procedures Manual was revised on April 28, 2004, to clarify that members of the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee may seek reimbursement for attending meetings of working groups with MTC staff formed at the direction of the Commission to provide input into Commission decisions.

Section 4.14 Commission Committees, and Appendix E to the Commission Procedures Manual were revised on January 25, 2006, to rename the Planning and Operations Committee as the Planning Committee and to add the Operations Committee to replace the SAFE Committee.

The Commission Procedures Manual was revised on April 26, 2006 to revise Appendix E to delegate specific contract, personal services agreement, and purchase order approval authority to the Operations Committee.

The Commission Procedures Manual was revised on December 19, 2012 to update provisions relating to AB57, SB375, MAP 21, the development of the Commission's Public Participation Plan, the creation of the Policy Advisory Council, the creation of the Bay Area Infrastructure Financing Authority and the Bay Area Headquarters Authority, clarify ex-officio voting capacity, incorporate MTC's revised Conflict of Interest Code, and to update provisions to conform to current practice (Attachment A, Appendices A, B, D and E).

The Commission Procedures Manual was revised on May 22, 2013 to incorporate MTC's revised Conflict of Interest Code as approved by the California Fair Political Practices Commission (FPPC) on April 17, 2013 to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on January 28, 2015 to update and revise the Travel Policy contained in Appendix B.

The Commission Procedures Manual was revised on March 25, 2015 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on February 2, 2015, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on September 28, 2016 to provide for the appointment of one or more public transportation representatives in accordance with provisions contained in MAP 21 as amended by the FAST Act and to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on June 30, 2016, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Appendix A to Attachment A), and to add a MTC special committee.

Appendix E to the Commission Procedures Manual was revised on September 27, 2017 to change the composition of the MTC Executive Committee to add the Association of Bay Area Governments (ABAG) Representative.

The Commission Procedures Manual was revised on June 27, 2018 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on March 29, 2018, to revise the designated positions to reflect the MTC-Association of Bay Area Governments staff consolidation, MTC's staffing of the Advancing California Financing Authority, and MTC's current organizational structure (Appendix A to Attachment A).

Appendix B to the Commission Procedures Manual was revised on July 24, 2019 to substitute the updated Meeting and Travel Expense Claim Form for the prior version of the Meeting and Travel Expense Claim Form as the attachment to Appendix B.

The Commission Procedures Manual was revised on March 25, 2020 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on January 27, 2020, to revise the designated positions to reflect MTC's affiliation with the Bay Area Regional Collaborative and MTC's current organizational structure (Appendix A to Attachment A); to add a new Section 5.03 regarding meeting protocol in declared emergencies; and to incorporate as Appendix F the Protocol Governing Amendments to Commission Procedure During Declared Emergencies.

The Commission Procedures Manual was revised on August 26, 2020 to allow the Chair and Vice Chair to serve as regular voting members of joint committees formed with ABAG, provide for inclusion of the Bay Area Housing Finance Authority (BAHFA), eliminate the MTC Legislation Committee, and authorize appointment of commissioners to a new Joint Committee with ABAG appointed representatives, with the new Joint MTC ABAG Legislation Committee's role to review legislation and pass recommendations up to the full Commission and the ABAG Executive Board.

Date: 11/25/81
W.I.: 99.1.20
Referred by: A&O

Re: Commission Procedures Manual.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 1058

WHEREAS, by Resolution No. 358 and 746 the Metropolitan Transportation Commission (Commission) adopted the Commission Procedures Manual relating to the Commission and commissioners, Commission officers, Commission meetings and the conduct of business, and Commission committees; and

WHEREAS, the Commission now desires to revise the Procedures Manual to clarify and reflect current practice as well as make revisions to the duties of the Commission resulting from recent State legislation; now, therefore, be it

RESOLVED, that the Metropolitan Transportation Commission adopts its Commission Procedures Manual as revised and dated November 25, 1981, a copy of which is attached hereto and marked Attachment A and incorporated by reference; and, be it further

RESOLVED, that MTC Resolution No. 1058 supersedes Resolution No. 746.

METROPOLITAN TRANSPORTATION COMMISSION

/s/ William R. "Bill" Lucius
William R. "Bill" Lucius, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on November 25, 1981.

W.I.: 1111
Referred by: A&O
Revised: See below

Attachment A
Resolution No. 1058

METROPOLITAN TRANSPORTATION COMMISSION

COMMISSION PROCEDURES MANUAL

Adopted September 22, 1976
Revised December 19, 1979
Adopted and Revised November 25, 1981
Revised October 27, 1982
Revised November 24, 1982
Revised November 27, 1985
Revised February 25, 1987
Revised September 23, 1987
Revised April 26, 1989
Revised September 18, 1989
Revised September 26, 1990
Revised June 26, 1991
Revised November 25, 1992
Revised January 27, 1993
Revised December 15, 1993
Revised May 24, 1995
Revised February 26, 1997
Revised December 16, 1998
Revised July 28, 1999
Revised November 17, 1999
Revised February 26, 2003
Revised July 23, 2003
Revised April 28, 2004
Revised January 25, 2006
Revised April 26, 2006
Revised December 19, 2012
Revised May 22, 2013
Revised January 28, 2015
Revised March 25, 2015
Revised September 28, 2016
Revised September 27, 2017
Revised June 27, 2018
Revised July 24, 2019
Revised March 25, 2020
Revised August 26, 2020

METROPOLITAN TRANSPORTATION COMMISSION
COMMISSION PROCEDURES MANUAL

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APPENDICES

Appendix A

Resolution No. 1198
(Last revised 03/25/20)

Conflict of Interest Code

Appendix B

(Last revised 07/24/19)

Travel Reimbursement to Commissioners and MTC Staff

Appendix C

Resolution Nos. 663 and 664
(Adopted 05/23/79)

MTC Legal Counsel

Appendix D

(Last revised 12/19/12)

Travel Reimbursement Rates for Citizens on Advisory Committees

Appendix E

(Last revised 08/26/20)

Standing Committees' Structure/Joint MTC ABAG Legislation
Committee Structure

Appendix F

(Last revised 03/25/20)

Protocol Governing Amendments to Commission Procedure During
Declared Emergencies

METROPOLITAN TRANSPORTATION COMMISSION,
METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR
FREEWAYS AND EXPRESSWAYS, BAY AREA TOLL AUTHORITY, BAY AREA
HOUSING FINANCE AUTHORITY, BAY AREA INFRASTRUCTURE FINANCING
AUTHORITY AND BAY AREA HEADQUARTERS AUTHORITY
PROCEDURES MANUAL

INTRODUCTION

The Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for that area of California comprising the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (Government Code § 66500 *et seq.*). These nine counties of the Bay Area cover an area of approximately 7,000 square miles and have a population of approximately 7.2 million (2010 census). Within the structure of California governmental agencies, MTC is classified as a local area planning agency and not as part of the executive branch of the state government.

In accordance with its legislative mandate, MTC adopted a Regional Transportation Plan (RTP) in June 1973. Thereafter, the Commission has regularly reviewed and revised the RTP in compliance with the statutory requirement of continuing plan review. The enactment of Senate Bill 375 (Steinberg) in 2008 requires MTC to adopt a Sustainable Communities Strategy (SCS) together with its RTP to strive to reach greenhouse gas (GHG) reduction targets. The first SCS/RTP is scheduled for adoption in 2013.

The Commission is charged with certain responsibilities for implementation of the SCS/RTP, as well as the RTP standing alone. Applications of local agencies for grants of certain state and federal transportation funds are subject to MTC review and approval as to their compatibility with the RTP. Generally, the state must conform to the RTP in allocating funds for construction on the state highway system within the MTC region.

Legislation passed in 1997 gave MTC increased decision-making authority over the selection of project and allocation of funds for the State Transportation Improvement Program (STIP). MTC is the agency responsible for allocation of local transportation funds among qualified claimants

under the Transportation Development Act (TDA) (Public Utilities Code § 99200 *et seq.*). The TDA statute provides MTC with a role in fulfilling fiscal and performance audit requirements with respect to claimants of TDA funds.

Under AB 1107 (Public Utilities Code § 29142.2), MTC allocates among eligible claimants one-fourth of the one-half cent Bay Area Rapid Transit District (BART) sales tax in Alameda, Contra Costa and San Francisco counties. Under AB 664 (Streets and Highways Code § 30880 *et seq.*), MTC is responsible for allocation of net revenues of state toll bridges located within the region. Pursuant to Streets and Highways Code § 30889, MTC may establish tolls for such bridges in order to generate net revenues provided that net revenues may not exceed the average net revenues available during fiscal year 1977-78 and 1978-79, except as may be adjusted annually according to the appropriate inflationary index as adopted by MTC. SB 620 (Public Utilities Code § 99310 *et seq.*) provides MTC with authority to allocate the regional share of the State Public Transportation Account.

MTC is responsible for meeting state and federal Transportation Improvement Program (TIP) requirements for the Bay Region. (Government Code § 65080 *et seq.* and 23 Code of Federal Regulations Section 450 Subpart B.) The Commission is the region's Metropolitan Planning Organization (MPO) and conducts the continuing, comprehensive, cooperative planning program necessary to maintain this region's eligibility for federal transportation funding. (23 Code of Federal Regulations Section 450 Subpart A.) MTC is the designated recipient of large urbanized area Federal Transit Administration (FTA) formula funds, such as 5307, 5339, and 5337. MTC is also designated other responsibilities for FTA funds by the California Department of Transportation (Caltrans), such as the 5303 planning funds, 5311, and 5310.

Through state law, MTC has programming responsibilities for Federal Highway Administration (FHWA) funds such as Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ). MTC is also responsible for submitting a Regional Transportation Improvement Program to the California Transportation Commission and Caltrans every two years.

MTC has conducted special planning studies at a multi-regional and subregional level. Examples include the Transit Connectivity Plan, the Transit Sustainability Project, and the Regional Goods Movement Study. MTC is jointly responsible with the Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD) for air quality planning to meet the requirements of the federal Clean Air Act, as amended, and shares with the BAAQMD the responsibility for air quality transportation control measures under the state Clean Air Act, as amended. MTC shares with ABAG the responsibility for preparing the SCS.

The Metropolitan Transportation Commission Service Authority for Freeways and Expressways (“MTC SAFE”) was created by legislation effective January 1, 1988 (Streets and Highways Code § 2550 *et seq.*), which authorized the creation of an MTC SAFE to provide for implementation, maintenance and operation of motorist-aid services through a call box program linked directly to the California Highway Patrol and a fleet of roving tow truck patrols, the Freeway Service Patrol. Under the law, MTC oversees the regional SAFE, which was officially convened in mid-1988.

The Bay Area Toll Authority (“BATA”) was created by legislation effective January 1, 1998 (Streets & Highways Code § 30950 *et seq.*) to administer the base \$1 toll on the San Francisco Bay Area’s seven state-owned toll bridges. Pursuant to additional legislation including SB 60, AB 1171, AB 144 and AB 1175 and voter-approved toll increases, tolls in addition to the \$1.00 base toll are collected and administered. Under the law, MTC serves as BATA.

In July, 2012 AB 57 (Beall) was chaptered. AB 57 amended Sections 66503 and 66504 of the Government Code to add, effective January 1, 2013, two additional voting seats on the commission and impose certain other requirements on commissioner appointments as further outlined in Part I of this Commission Procedures Manual.

In 2015 Congress enacted, and the President signed into law the FAST Act (23 U.S.C. §101). Title 23 U.S.C. §134 (d)(2) provides that a metropolitan planning organization shall consist of local officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation, and appropriate

State officials. Title 23 U.S.C. §134 (d)(3)(B) provides that, subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

In October 2019, AB 1487 (Chiu) was chaptered. AB 1487 added Title 6.8 to the Government Code, commencing with Government Code Section 64510, which created the Bay Area Housing Finance Authority (“BAHFA”) with jurisdiction extending throughout the San Francisco Bay Area and provided that BAHFA shall be governed by the same board that governs MTC.

For the purposes of this Commission Procedures Manual, the term “MTC” includes the four agencies: the Metropolitan Transportation Commission, the Metropolitan Transportation Commission Service Authority for Freeways and Expressways, the Bay Area Toll Authority and the Bay Area Housing Finance Authority. It also includes two joint powers authorities formed by MTC and BATA: the Bay Area Infrastructure Financing Authority (“BAIFA”), and the Bay Area Headquarters Authority (“BAHA”).

I. THE COMMISSION AND COMMISSIONERS

1.01. Commissioners. Effective January 1, 2013, there are eighteen voting commissioners. The City and County of San Francisco and the Counties of Contra Costa and San Mateo, each have two commissioners, and the Counties of Alameda and Santa Clara each have three commissioners, appointed as follows: the Board of Supervisors of each county appoints one commissioner; in San Francisco, the Mayor appoints one commissioner; in each of the remaining counties, the City Selection Committee appoints one commissioner; and in the Counties of Alameda and Santa Clara, the Mayors of the Cities of Oakland and San Jose shall be self-appointed or shall appoint a member of their respective City Councils to serve as the third commissioner . The Counties of Marin, Napa, Solano, and Sonoma each have one commissioner who is appointed by the county's Board of Supervisors from a list of three nominees furnished by the Mayor's Selection Committee. The Association of Bay Area Governments appoints one commissioner who shall not be from the Counties of Alameda or Santa Clara or from the City and County of San Francisco. The San Francisco Bay Conservation and Development Commission appoints one commissioner, who shall be a resident of the City and County of San Francisco approved by the Mayor of San Francisco. All appointments are subject to Section 1.02.

Effective September 28, 2016, any sitting commissioner who also serves on the board of a public transit agency shall be deemed to be a representative of a provider of public transportation within the meaning of the FAST Act (“Transit Representative”). Subsequent to September 28, 2016, at the beginning of each Commission term, the Chair shall designate and the Commission shall approve any sitting commissioner who also serves on the board of a public transit agency as a Transit Representative. Upon a vacancy occurring during a Commission term of a commissioner then serving as a Transit Representative, the Chair shall designate, and the Commission shall approve, one or more representatives not then currently designated, if any, from the commissioners then currently on the board who are also serving on a board of a transit agency as a Transit Representative.

The Commission's enabling legislation provides for three non-voting members, one appointed by the Secretary of the Business, Transportation and Housing Agency, and one each appointed by the United States Department of Transportation, and the United States Department of Housing and Urban Development.

1.02. Selection. The basis for selection of a commissioner is special familiarity with the problems and issues in the field of transportation. Elected or appointed public officers may serve as commissioners during their terms of public office. The effect of this is that such public officers are not prohibited from being commissioners; i.e., the two positions are not necessarily incompatible. No more than three voting members of the Commission shall be residents of the same county.

1.03. Term of Office. The term of office of a commissioner is four years. Since the initial term for commissioners commenced February 10, 1971, the organizational meeting date of the Commission, the four-year terms of commissioners shall commence quadrennially from that date. The current appointment term began February 10, 2019. The next appointment dates are February 10, 2023 and February 10, 2027. Appointments to fill a resignation or vacancy during a term shall be only for the balance of such term. Commissioners shall continue to serve as such until reappointed or until their successor is appointed; provided that, where a commissioner has been appointed as a public officer, the commissioner must vacate his/her Commission seat upon ceasing to hold such public office, unless the appointing authority consents to completion of the commissioner's term (Government Code Section 66504).

1.04. Oath of Office. Commissioners shall complete oath of office forms when they are appointed to the Commission, which are then notarized. The original is kept on file at the MTC offices.

1.05. Conflict of Interest Code. The Commission adopted a conflict of interest code by Resolution No. 1198, Revised (Appendix A), which was subsequently approved by the State of California Fair Political Practices Commission. Commissioners are required to file annual statements of economic interest and within thirty days of assuming or leaving office.

1.06. Alternates. There is no provision for voting alternates for the voting commissioners. Substitutes may sit on behalf of non-voting commissioners.

1.07. Reimbursement. Commissioners serve without compensation. Commissioners are entitled to receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties. In lieu of such reimbursement for attendance at Commission or committee meetings, each commissioner shall receive one hundred dollars (\$100.00) per meeting for a maximum of five (5) such meetings in any one calendar month, plus necessary travel expenses as authorized by the Commission pursuant to the rates and terms set forth in Appendix B to this manual. Commissioners may be reimbursed a separate per diem for each such meeting in any one day up to the monthly maximum reimbursement number of meetings. The monthly maximum is calculated and applied separately to MTC, BATA and BAHFA; provided however that for BAHFA a maximum of two monthly meetings shall be applicable. BAIFA and BAHFA meeting per diem is applied and counts toward the BATA monthly maximum. No reimbursement applies to MTC SAFE meetings.

1.08. Travel Expenses. Commissioners shall be paid necessary traveling expenses as may be authorized from time to time by the Commission. The Commission policy for travel expenses is set forth in Appendix B to this manual. The policy applies to all MTC employees as well.

1.09. Orientation for New Commissioners. When a new commissioner is appointed to the Commission, the Secretary to the Commission will provide the commissioner, along with administrative materials, copies of the current major MTC, BATA, BAHFA, MTC SAFE, BAIFA and BAHFA documents and an overview of the content of these documents. The Secretary will also arrange an orientation session for the new commissioner with the Executive Director and section managers.

II. OFFICERS

2.01. Commission Officers. There are two (2) Commission officers: a Chair and a Vice-Chair. Any voting commissioner is eligible to hold the office of Chair or Vice-Chair. Non-voting commissioners are ineligible for such offices.

2.02. Term. The Chair and Vice-Chair shall serve two-year terms commencing upon elections at the regular Commission meeting in February of odd numbered years. A commissioner may serve as Chair or Vice-Chair without restriction as to number of terms. The Chair and Vice-Chair shall serve as such until their successors are elected.

2.03A. Nomination/Election of Commission Officers (New Commission Term). In years when new Commission terms begin, the following procedure for the nomination and election of Commission officers shall be followed:

- a. The Commission shall meet on February 10, or within five working days thereof, for a special meeting. The meeting date shall be set by the prior Commission.
- b. The existing Chair, if reappointed, or if not reappointed, the Vice-Chair, if reappointed, or if not reappointed, the reappointed commissioner with the longest continuous length of service, shall preside over the meeting, and is the Acting Chair until the election of new officers.
- c. The Acting Chair shall at this special meeting appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission.
- d. The Ad Hoc Nominating Committee shall meet and send its report in writing to the Commission with the packet for the regular February meeting.
- e. The Acting Chair shall convene the regular February meeting, usually the fourth Wednesday of the month, at which the Ad Hoc Nominating Committee shall give its report as the first order of business. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the March meeting.
- f. The Commission shall elect a Chair and Vice-Chair at its regular February meeting, or as soon thereafter as possible after nominations are closed.
- g. Upon the election of new officers, the new Chair shall take over the gavel and conduct the remaining business of the meeting.

2.03B. Nomination/Election of Commission Officers (Mid-Commission Term.) The Chair shall appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission at the regular Commission meeting in December of even-numbered years. The Ad Hoc Nominating Committee shall send its report in writing to the Commission with the packet for the regular January Commission meeting. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the February Commission meeting. The Commission shall elect a Chair and Vice-Chair at its regular February meeting as the first order of business, or as soon thereafter as possible.

2.04. Duties of Chair. The Chair shall preside at all meetings of the Commission, state each question for vote, announce the decision, and decide all questions of order subject to appeal to the Commission. The Chair is a voting ex-officio member of all standing committees of the Commission, with the exception of any joint committee formed with the Association of Bay Area Governments (“ABAG”). As an ex-officio member of a standing committee the Chair shall vote only when necessary to attain a quorum of voting members of a committee. In the case of joint committees formed with ABAG, the Chair if so appointed to such committee shall be a full voting member, authorized to vote whether or not there is a quorum. The Chair shall execute all resolutions adopted by the Commission, the approved minutes, and any other documents that may require the signature of the Chair.

The Chair shall appoint, subject to approval of the Commission, members of standing committees, and subsequent to September 28, 2016, the Chair shall designate, subject to approval of the Commission, the Transit Representative(s). In making committee and Transit Representative appointments/designations, the Chair shall, as much as possible, attempt to balance the representation of various areas of the region. The Chair shall select the Chair and Vice-Chair of each committee subject to approval of the Commission. The Chair should request individual commissioners to submit their preferences and areas of interest regarding appointment to

committees. The Chair shall also appoint, subject to the approval of the Commission, Commission members of special committees.

In years when a new Chair is elected, then current committee members, chairs, and vice chairs shall continue to serve as such until the new Chair makes new committee appointments. To the extent necessary to carry out committee business, the Chair may appoint temporary committee chairs, vice-chairs, and members, pending confirmation of committee appointments at the regular March Commission meeting.

The Chair shall approve, within the limits of the approved budget, commissioner's attendance and expenses at an out-of-region conference or any conference in which MTC has a substantial interest in being represented.

The Chair shall perform such functions as may be delegated by action of the Commission. Where circumstances warrant, the Chair may, in the absence of existing policy, act as necessary for the Commission between its scheduled meetings and shall report that action at the next Commission meeting.

The Chair shall select a temporary chair of a committee when that committee's chair and vice-chair are both unable to attend that committee's meeting(s).

2.05. Duties of Vice-Chair. The Vice-Chair shall assume the Chair's duties in his/her absence. The Vice-Chair is a voting ex-officio member of all standing committees of the Commission, with the exception of any joint committee formed with ABAG. As an ex-officio member of a standing committee the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee. In the case of joint committees formed with ABAG, the Vice-Chair if so appointed to such committee shall be a full voting member, authorized to vote whether or not there is a quorum.

2.06. Chair Pro Tem. If both the Chair and Vice-Chair are or will be absent from a Commission meeting or other functions, or duties of the Chair must be performed (including, but not limited to, the execution of documents), the most senior member of the Commission shall perform such functions and duties.

2.07. Vacancies During Term of Office.

A. Chair. In the event the office of Chair is vacated during the term, the vacancy shall be filled for the unexpired balance of the term by the Vice-Chair.

B. Vice-Chair. In the event the office of Vice-Chair is vacated during the term, the vacancy may be filled for the unexpired balance of the term by a special election. If the vacancy is to be filled, an ad hoc nominating committee shall be appointed by the Chair, subject to the approval of the Commission at the next regular Commission meeting. At the Commission meeting following the meeting approving the ad hoc nominating committee, the ad hoc nominating committee shall present its written report which shall be included in the meeting packet sent to commissioners; additional nominations, if any, may be made by commissioners at the meeting; nominations shall thereafter be closed and the election for Vice-Chair held at that meeting.

C. Chair and Vice-Chair. In the event the office of Chair and Vice-Chair are both vacated simultaneously during their terms, the vacancy for Chair and Vice-Chair shall be filled in the same manner as the vacancy for Vice-Chair in paragraph B of this Subsection, with the ad hoc nominating committee being appointed by the Commission.

2.08 Staff Officers.

A. Executive Director. The Commission shall appoint an Executive Director who shall have charge of administering the affairs of the Commission subject to the Commission's direction and policies. The Executive Director shall in turn appoint, subject to approval of the Commission, such employees as may be necessary to carry out the functions of the Commission (Resolution No. 664). The Executive Director shall designate an employee to act as Secretary of the Commission for the purpose of keeping its minutes and resolutions.

B. Legal Counsel. The Executive Director shall appoint a Legal Counsel subject to the approval of the Commission. In addition to other duties, the Legal Counsel shall have a responsibility to directly advise the Commission and commissioners in the course of their duties (Resolution Nos. 663 and 664, Appendix C).

III. COMMISSION MEETINGS AND CONDUCT OF BUSINESS

3.01. Principal Offices. The principal offices of the Commission shall be at the-Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105, or at such other location as may be determined by Commission action.

3.02. Regular Commission Meetings. Regular Commission meetings shall be on the fourth Wednesday of each month with the exception of the month of December when the regular meeting of the Commission shall be the third Wednesday of December and with the exception of the month of August which shall not have a regular Commission meeting. Unless otherwise scheduled, meetings regularly commence at 9:30 a.m. When a regular meeting falls upon a legal holiday, the date and time of such meeting shall be determined by the Commission no later than at its preceding regular meeting. Commission meetings shall be held in the Board Room, 375 Beale Street, San Francisco, CA 94105, in alternate locations within the region that are easily available to the public and accessible to persons with disabilities; provided that, if such an alternative location is chosen, it shall be publicly announced, if possible, at the preceding regular Commission meeting.

The Chair may cancel or reschedule a regular Commission meeting if a quorum cannot be obtained, or if there is insufficient business to warrant a meeting. Notice of cancellation of a meeting shall be given, if possible, not later than seven (7) days prior to the meeting date to those persons who receive formal notice of regular meetings.

3.03. Special Commission Meetings. The Chair may call special meetings of the Commission when warranted by the business of the Commission. In addition, upon written request of ten (10) Commissioners, a special meeting shall be held upon the call of the Chair.

3.04. Notice Regarding Commission Meetings. Notice of Commission meetings shall be given as follows:

A. Regular Meetings. Notice of all regular Commission meetings shall be given in compliance with applicable provisions of the Ralph M. Brown Act (Government Code Section 54950 *et seq.*, as may be amended from time to time; hereinafter "Brown Act"). The notice shall at

a minimum specify the date, hour, and location of the meeting and may be a preliminary agenda for the meeting. The final agenda shall be posted adjacent to the front door of the Bay Area Metro Center not later than 72 hours prior to the date of the meeting.

B. Special Meetings. Notice of special meetings shall be given in compliance with applicable provisions of the Brown Act. Notice of special meetings shall specify the date, time, and location of the meeting and the matters to be considered by the Commission. No matters other than those specified in the notice of special meetings may be considered. Notice of special meetings shall be given to those persons who receive notice of regular meetings. Unless otherwise provided by the Brown Act, at least twenty-four (24) hours' written notice shall be given by electronic or U.S. postal mail or personal delivery to each commissioner and to each local newspaper of general circulation, radio or television station requesting notice in writing, and by posting such notice in the MTC library.

C. Recipients of Notice. Notice of MTC meetings may be received by any person or organization requesting notice. Designated staff shall maintain a database of persons and organizations who have requested notice or to whom, in designated staff's judgment, notice shall be sent. The database is updated on an ongoing basis.

D. Brown Act. In providing notice of Commission meetings, MTC staff shall at all times comply at least with all minimum applicable notice requirements of the Brown Act.

3.05. Open Meetings. In accordance with the provisions of the Brown Act, all meetings of the Commission shall be open to the public except matters that may be discussed in closed session pursuant to the Brown Act. Members of the public shall have an opportunity to directly address the Commission on matters before it, subject to limitations on the total amount of time allocated for public testimony on particular issues and for each individual speaker.

3.06. Quorum. A majority of the appointed, voting commissioners shall constitute a quorum for any meeting of the Commission. When 18 voting commissioners have been appointed and seated, the quorum is ten (10) voting commissioners. No official action shall be taken by the Commission unless a quorum is present. A majority of the commissioners present and voting shall

be required to carry any action of the Commission; provided that, no action shall be valid unless approved by at least a majority of a quorum.

3.07. Voting. Voting shall be by voice; provided that a roll call shall be taken at the Chair's discretion or upon the request of one (1) commissioner.

3.08. Conduct of Meetings. Robert's Rules of Order, as revised, except when inconsistent with these procedures, law, or specific resolutions of the Commission, shall govern the conduct of meetings of the Commission and its established committees.

3.09. Agenda. The Commission may take no action on any item not appearing on the agenda except as allowed under the Brown Act. All items on Commission agendas shall be subject to action.

A preliminary agenda shall be distributed electronically or by regular or express mail prior to the date of the meeting, consistent with the Brown Act. (See Subsection 3.04, Notice Regarding Commission Meetings.) A final agenda will be prepared and posted adjacent to the front door of the Bay Area Metro Center in accordance with the Brown Act. Copies of the final agenda will be available at the meeting.

If, in the Chair's judgment, it is necessary to maintain the orderly flow of business, public comment may be restricted by any one or a combination of the following procedures:

1. limiting the time each speaker may testify per agenda item. The limit may not be less than one (1) minute for each speaker, and may range, at the discretion of the Chair, up to three (3) minutes per speaker.
2. requiring a speaker who plans to speak on more than one agenda item to combine his or her testimony on all agenda items to one appearance. The limit for a combined appearance may not be less than three (3) minutes per speaker, and may range, at the discretion of the Chair, up to seven (7) minutes per speaker.
3. establishing the maximum amount of time available during the meeting for public comment so as to permit the meeting agenda to be completed before the loss of a quorum; provided, however, that each speaker be permitted to speak at least one (1) minute.

4. establishing a single period of time during a meeting to take all public testimony before proceeding with the agenda, when there are multiple requests to speak on multiple items on the agenda.

5. rearranging the order of items on the agenda to accommodate public testimony.

Any decision of the Chair regarding the taking of public testimony made pursuant to the Commission Procedures Manual shall govern for the meeting unless overruled by a two-thirds vote of the quorum present.

The order of agenda items may also be changed, if, in the Chair's judgment, there are other reasons to do so.

3.10. Resolutions. Resolutions may be considered by the Commission at any regular or special Commission meetings. All resolutions shall be in writing.

A summary explanation of the purpose and content of each resolution shall be prepared and attached to the proposed resolution, but shall not be considered part of such resolution. The original of a resolution adopted by the Commission is the one signed by the Chair and shall be the official text of that resolution.

3.11. Regional Transportation Plan Revisions. Revisions of the Commission's adopted Regional Transportation Plan (RTP) are prepared as the need arises. Except for revisions approved by the Commission under emergency procedures, revisions to the RTP are considered by the Commission for adoption every four years. Review of proposed Plan revisions is assigned to a standing committee of the Commission, which shall make recommendations to the full Commission for Plan revision. Notice of availability of the text of proposed revisions of the RTP shall be sent to organizations and concerned citizens on the current Commission mailing list. Not earlier than twenty (20) days after this distribution of the proposed revisions, and at a time convenient to the public, no less than (2) public hearings shall be held in the region to receive comments, suggestions, and reactions to the proposed revisions. Additional hearings may be scheduled if necessary to allow opportunity for public comment in parts of the region significantly affected by proposed revisions. These public hearings may be conducted by less than a quorum of

the Commission. A transcript or summary of the public hearings shall be provided to all commissioners prior to their acting on the Plan revisions. Notice of the public hearings shall appear in major newspapers of the region and other media as appropriate at least thirty (30) days prior to the scheduled hearings.

3.12 Public Hearings. Public hearings shall be conducted in accordance with MTC's Public Participation Plan, MTC Resolution No. 3821.

3.13. Recording of Meetings. Commission meetings shall be recorded electronically and are available on the Commission's website at no cost and are archived for meetings occurring since 2004. Copies of any recordings (in accessible formats, for persons with disabilities) shall be made available to the public upon request. Further, any citizen may record a Commission meeting or parts thereof, if such recording is done in a reasonable manner.

3.14. Minutes of Meetings. The Commission shall keep accurate minutes of all meetings and make them available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment. Minutes approved by the board at a succeeding meeting shall be the evidence of action taken at a prior meeting.

3.15. Public Information Materials. MTC staff will routinely prepare and provide all commissioners with general public informational material. Requests for specialized public information assistance for a specific commissioner will be handled on a time-available basis.

3.16 Meeting Conduct. In the event that any public meeting conducted by MTC is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chair may order the removal of those individuals who are willfully disrupting the meeting. Such individuals may be subject to arrest. If order cannot be restored by such removal, the members of the Commission may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue on matters appearing on the agenda.

IV. COMMISSION COMMITTEES

4.01. Types. Commission committees are designated as standing committees, special committees, or advisory committees.

4.02. Policy. It is the general policy of the Commission to receive comments from the public on specific items at committee meetings. Summaries of these comments shall be included in the committee minutes and forwarded to all commissioners.

4.03. Standing Committees. Each standing committee is charged with subject matter responsibility over specific element(s) of the Commission's overall mission and/or organizational functions. Standing committees shall be composed solely of commissioners. Non-voting commissioners may be appointed to standing committees. Notwithstanding that there may be a quorum of the Commission (10 or more commissioners commencing January 1, 2013) in attendance at a standing committee meeting, no standing committee may act for the full Commission unless the meeting is noticed, in accordance with the Brown Act, as a Commission meeting. Each standing committee shall be responsible for reviewing comments of appropriate MTC advisory committees and such comments shall accompany any standing committee recommendations to the Commission.

4.04. Special Committees. The Commission may establish special committees to supervise the development of a specific task or project. Membership of special committees is not limited to commissioners. Composition of special committees will depend upon the task to be performed and may involve the participation of private citizens or representatives of other public agencies.

4.05. Advisory Committees. Advisory committees are discussed in Section 4.14C.

4.06. Appointments to Committees.

A. Manner of Appointment. The Chair of the Commission, subject to the approval of the Commission, shall appoint members of standing committees and special committees to the extent that special committee appointments are the responsibility of MTC. The Commission Chair

shall designate the Chair and Vice-Chair of the standing committee, subject to approval of the Commission. Designation by the MTC Chair of special committee chairs and vice-chairs is subject to the approval of the Commission to the extent that these appointments are the responsibility of MTC. Appointments to advisory committees shall be made by the Commission in accordance with the Commission resolution establishing the particular advisory committee. In the event the Chair and Vice-Chair of a standing committee are not present at a standing committee meeting, the committee members present shall select a Chair Pro Tem for that meeting from among themselves.

B. Term. Subject to Section 2.04, appointments to standing committees shall be for the term of the Commission Chair. Appointments of commissioners to special committees shall be for the term of the Commission Chair. Other appointments to special committees shall be for a term dependent upon the function of the special committee as set forth in the resolution which governs the special committee. Appointments to advisory committees are for a term dependent upon the function of the advisory committee as set forth in the resolution establishing the particular advisory committee.

4.07. Quorum. The quorum for committees established by the Commission shall be a majority of the committee's non-ex-officio voting membership. Except as otherwise provided in Sections 2.04 and 2.05, if necessary to establish a quorum of a committee at a meeting, the Chair and Vice-Chair of the Commission, as ex-officio members of the committee, shall become voting members for that meeting. Unless otherwise approved by the Commission and except as otherwise provided in Sections 2.04 and 2.05, MTC standing committees shall have eight (8) voting members, as approved by the Commission, plus the MTC Chair and Vice-Chair as ex-officio, voting members.

Every member of the Commission who is not a voting member of a standing committee is an ad hoc non-voting member. Although a quorum of the Commission may be in attendance at a meeting of a standing committee, the committee may take action only on those matters delegated to it. The committee may not take any action as the full Commission unless a meeting has been previously noticed as a Commission meeting.

An ad hoc non-voting committee member who is also a voting member of the Commission may be designated by the committee chairperson as a voting member at a particular committee meeting if an additional voting member is needed for a committee quorum. In the case of joint committees formed with ABAG, additional provisions contained in Appendix E shall also apply.

4.08. Open Meetings. It is recognized that "legislative body" as defined in the Brown Act does not include committees composed solely of commissioners when they number less than a quorum of the Commission or a quorum of a standing committee. It is the intention of the Commission to apply the Brown Act to include all non-ad-hoc committees created by the Commission, not just those identified as advisory commissions or committees. All meetings of non-ad-hoc committees created by the Commission, with the exception of closed sessions permitted by the Brown Act, shall be open meetings properly announced in accordance with the provisions of the Brown Act.

4.09. Notice of Meetings. Notice of regular committee meetings shall be given consistent with applicable provisions of the Brown Act and posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours, preceding the date of the meeting. If a special meeting is called on short notice, then notice shall comply with the requirements of Subsection 3.04 B of these procedures. The notice shall announce the date, time, and location of the meeting together with an agenda. This notice shall be sent to all commissioners and to media representatives, concerned citizens, and organizations who have filed a request for receipt of notice of committee meetings and posted in the MTC library. Special meetings of committees shall comply with the minimum notice provisions of the Brown Act. Notices of postponed or canceled committee meetings shall be posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours prior to the regular date of the meeting and shall state the date, time, and location of the next committee meeting if possible. Notices of meetings held earlier than the regular meeting date shall be sent out and posted adjacent to the front door of the Bay Area Metro Center as soon as possible.

4.10. [Reserved]

4.11. Recording of Meetings. Standing and special committee meetings, if possible, shall be recorded electronically and follow the procedures as stated in Subsection 3.13 of this document.

4.12. Minutes of Committee Meetings. Minutes of all committee meetings shall be kept and made available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment.

4.13. Reimbursement and Travel Expenses. Commissioners who are members of standing or special committees shall be entitled to receive in lieu reimbursement for attendance at such committee meetings in accordance with Government Code Section 66504.1. Commissioners serving on standing and/or special committees shall also be entitled to receive necessary travel expenses in accordance with the Commission's current resolution in this regard. (See Appendix B.) Members of special committees appointed by the Commission and members of advisory committees appointed through Commission resolutions shall be reimbursed for their necessary travel expenses in accordance with the Commission's current procedures regarding this subject. (See Appendix D.)

Commissioners appointed by the Chair or the full Commission to represent MTC on committees other than those created by MTC shall be entitled to receive the MTC per diem and necessary travel expenses for attendance at such committee meetings. If the procedures of such committees require or permit the appointment of an alternate representative, MTC alternates to such committees may not claim per diem or travel expenses for any meeting at which the MTC commissioner is also present and claiming per diem.

4.14. Commission Committees.

A. Standing Committees. The current charters of the Commission's standing committees, as established by this Manual, are attached as Appendix E. Current Commission standing committees are as follows:

1. Administration Committee - is charged with the oversight of the operation and performance of the Commission staff including the development and oversight of agency personnel, financial policies, and management.

2. Programming and Allocations Committee - reviews projects seeking federal, state and regional funding approval for conformance with the Sustainable Communities Strategy/Regional Transportation Plan, adopts the region's multi-year program of funding priorities for federal, state and regional funds, and recommends allocation of various federal, state and regional funds among the various eligible claimants and applicants within the region.

3. Planning Committee - develops the region's annual transportation work program and program budget, reviews planning policies and issues, and together with ABAG, develops the Sustainable Communities Strategy, and proposes revisions to the Sustainable Communities Strategy/Regional Transportation Plan.

4. Operations Committee - establishes, oversees and evaluates transportation system management and operational activities sponsored by MTC, SAFE and others.

5. Executive Committee - considers matters of urgency brought before it by the Chair between Commission meetings and other matters assigned to it by the Commission or the Chair.

B. Special Committees. Special committees are committees consisting of MTC commissioners and representatives of other organizations. Special committees are established, modified or disbanded by separate Commission action. By action of the Commission on August 26, 2020 a special Joint MTC ABAG Legislation Committee was hereby established to advise the Commission and ABAG in the legislative process and public information and citizen participation programs. Examples of additional current committees include, but are not limited to, the following:

1. Regional Airport Planning Committee - reorganized pursuant to MTC Resolution No. 3123 and is responsible for recommendations relating to the Regional Airport Element of the Regional Transportation Plan and the update of revisions relating to this element.

2. MTC/Bay Conservation and Development Commission (BCDC) Seaport Planning Advisory Committee - was established pursuant to a Memorandum of Understanding between BCDC and MTC (MTC Resolution No. 516) and is responsible for developing the legislatively-mandated Seaport Element to the Regional Transportation Plan and recommendations for revision of the Seaport Element of the BCDC Bay Plan

3. Mega-Region Working Group – was established in 2015 through Resolution 4209 to identify issues of common interest and recommend joint activities among metropolitan planning organizations in the Northern California mega-region.

C. Advisory Committees. Advisory committees consist of members of the public and/or staff from public agencies or private organizations. Advisory committees are established, modified or disbanded by separate Commission action. When appropriate, all upcoming vacancies on MTC advisory committees shall be posted on the Commission website. Prior to making appointments to such committees, thirty days shall be allowed to receive responses from citizens who are interested in appointment. Examples of current advisory committees include, but are not limited to, the following:

1. Policy Advisory Council – This advisory committee was established in November 2009 pursuant to MTC Resolution No. 3931 to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. Its 27 members are appointed by the Commission, including 9 members, one from each Bay Area county, selected to represent interests related to the communities of color, environmental justice and low-income issues; 9 members, one from each Bay Area county, selected to represent the interests of disabled persons and seniors; and 9 members selected to represent interests related to the economy and the environment.

2. The Bay Area Partnership (The Partnership) - The Partnership is a consortium of local, state and federal agencies, including the top managers from agencies for transportation and protecting the region's environmental quality; intended to foster consensus in the

implementation of TEA 21 and its successor statutes, develop agreed-upon funding and planning priorities, and implement plans and programs to better manage and operate the metropolitan transportation system.

3. Regional Transit Coordinating Council (RTCC) - Pursuant to Public Utilities Code § 29142.4, the Commission has established the RTCC to advise MTC with respect to its state and federal programs, to focus attention on transit coordination, and to encourage participation of transit operators' top management in MTC's deliberations. MTC Resolution No. 2467 establishes the RTCC.

4. Paratransit Coordinating Councils (PCCs) - established by MTC Resolution No. 468 in 1977 to require participation by counties in promoting the efficient use of limited paratransit services. Membership composition is established in MTC Resolution No. 1209.

NOTE: Special and advisory committees usually forward their recommendations to the Programming and Allocations Committee. Special issues can be referred to the appropriate MTC standing committee. The Joint MTC ABAG Legislation Committee forwards its recommendations directly to the Commission.

Appendix D
Resolution No. 1058

**Travel Reimbursement Rate for
Members of the Policy Advisory Council**

PROCEDURES FOR PROCESSING TRAVEL REIMBURSEMENT CLAIMS
FROM CITIZENS APPOINTED TO
CERTAIN MTC ADVISORY COMMITTEES

These procedures supersede those previously established by MTC Resolution No. 348. The travel reimbursement rates set forth herein supersede those previously established by MTC Resolution No. 291.

1. Individual members of the public appointed by the Commission serving on the Policy Advisory Council or other advisory committees shall each be eligible to receive a stipend of \$50 per meeting, as defined below, with a maximum of three meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive a stipend for a combined total of five meetings per month. Meetings are defined as publicly noticed meetings or subcommittee meetings of the advisory committee to which the individual has been appointed; noticed MTC Commission or committee meetings; attendance at meetings of working groups with MTC staff formed at the direction of the Commission to provide input into the Commission's decisions; or attendance at a community meeting in conjunction with MTC staff. This includes initiatives undertaken by MTC that require outreach assistance from citizen advisors (i.e., when the advisor attends a community meeting with MTC staff, or provides an introduction to a particular community and attends the meeting with staff).
2. Members of the Policy Advisory Council ("advisors") may be reimbursed for actual travel expenses, as defined below, for a maximum of three meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive travel

reimbursement for a combined total of five meetings per month. Meetings shall include: publicly noticed meetings or subcommittee meetings of the Policy Advisory Council to which the individual has been appointed; noticed MTC Commission or committee meetings; or attendance at a community meeting in conjunction with MTC staff. This includes initiatives undertaken by MTC that require outreach assistance from advisors (i.e., when the advisor attends a community meeting with MTC staff, or provides an introduction to a particular community and attends the meeting with staff).

3. The mileage reimbursement rate is the rate allowable by the Internal Revenue Service when a personal vehicle is used. Related bridge tolls, parking fees and actual expenses for use of public transit will be reimbursed.

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

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

PROTOCOL GOVERNING AMENDMENTS TO COMMISSION PROCEDURE
DURING DECLARED EMERGENCIES

- a) Should the Governor impose any emergency order related to a natural or man-made disaster (e.g. earthquake, terrorist attack, pandemic or other health related event), that would impact the Bay Area Region, and by extension impact the ability to conduct the regular business of the Commission, the Executive Committee extends to the Chair the ability to accommodate remote enabled Commissioner participation in Committee and Commission meetings:
 - Only on an interim basis;
 - Only for purposes to accommodate the declared emergency order; and
 - Only for limited and essential actions, as deemed by the Chair.
- b) Any subsequent directives or guidance issued by the Governor related to the declared emergency will be considered, implemented into process and procedures covered in paragraph a) above, and responded to accordingly.
- c) Under such circumstances the Executive Director is directed to work with staff to put procedural steps in place, as soon as possible, to accommodate the Chair's directive, if and when that may occur, consistent with this protocol.