



Metropolitan Transportation Commission

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

Meeting Agenda

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, July 24, 2019

9:35 AM

Board Room - 1st Floor

This meeting is scheduled to be webcast live on the Metropolitan Transportation Commission's website: <http://mtc.ca.gov/whats-happening/meetings> and will take place at 9:35 a.m. or immediately following the 9:30 a.m. BATA meeting.

1. Roll Call / Confirm Quorum

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

2. Chair's Report (Haggerty)

3. Policy Advisory Council Report (Randi Kinman)

4. Executive Director's Report (McMillan)

5. Commissioner Comments

6. Consent Calendar:

- 6a. [19-0812](#) Minutes of the June 26, 2019 meeting

Action: Commission Approval

Attachments: [6a Commission Draft Meeting Minutes 06-26-2019.pdf](#)

Administration Committee

- 6b. [19-0823](#) MTC Resolution No. 1058, Revised - Revision to MTC's Commission Procedures Manual

Action: Commission Approval

Attachments: [6b Admin 2g Reso-1058 Commission Procedures Manual Revision.pdf](#)

Programming and Allocations Committee

- 6c. [19-0702](#) MTC Resolution No. 3914, Revised. Rescission of \$264,000 in AB1171 funds savings on previous Transbay Transit Center design and pre-construction phases, and reallocation to construction close-out.
- Action: Commission Approval
- Attachments: [6c PAC 2c Reso-3914 Transbay Transit Center Rescission.pdf](#)
-
- 6d. [19-0672](#) MTC Resolution No. 4202, Revised. Revision to the One Bay Area Grant Program (OBAG 2), to delegate authority to the Executive Director or designee to enter into Letters of Understanding with regional agencies for the exchange of federal Surface Transportation Block Grant Program (STP) or Congestion Mitigation and Air Quality Improvement (CMAQ) funds, within certain conditions and limitations, and to delegate to a Committee of the Commission the authority to approve exchanges beyond these conditions and limitations.
- Action: Commission Approval
- Attachments: [6d PAC 2d Reso-4202 OBAG2 Revisions.pdf](#)
-
- 6e. [19-0676](#) MTC Resolution No. 4388. Programming for FY2019-20 and allocation of approximately \$2.9 million in Five Percent Unrestricted State Fund Revenues and \$0.6 million in Two Percent Bridge Toll Revenues for WETA ferry operations and the San Francisco Bay Trail project.
- Action: Commission Approval
- Attachments: [6e PAC 2e Reso-4388 WETA and SF Bay Trail Project P&A.pdf](#)
-
- 6f. [19-0686](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-18.
- Action: Commission Approval
- Attachments: [6f PAC 2f Reso-4375 TIP Amendment 2019-18.pdf](#)
-
- 6g. [19-0698](#) Proposed agreement with Mariposa County Local Transportation Commission (MCLTC) for exchange of federal apportionment. A request to authorize an agreement with the MCLTC to exchange roughly \$0.7 million in Congestion Mitigation and Air Quality Improvement (CMAQ) funds in Federal Fiscal Year (FFY) 2018-19 with an equal amount of CMAQ funds in FFY 2019-20.
- Action: Commission Approval
- Attachments: [6g PAC 2h Mariposa LTC CMAQ Exchange.pdf](#)

- 6h. [19-0697](#) Federal Earmark Repurposing - Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the Department of Transportation Appropriations Act, 2019.

Action: Commission Approval

Attachments: [6h_PAC_2i_Federal Earmark Repurposing.pdf](#)

Legislation Committee

- 6i. [19-0780](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Action: MTC Commission Approval

Attachments: [6i_Leg_3b_Reso-3931_PolicyAdvisoryCouncil_Appointment.pdf](#)

Committee Reports

7. Programming and Allocations Committee (Josefowitz)

- 7a. [19-0677](#) MTC Resolution No. 3664, Revised. Allocation of \$7 million in Regional Measure 2 (RM2) funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

A request for an allocation of \$7 million in RM2 funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

Action: Commission Approval

Attachments: [7a_PAC_3a_Reso-3664_Dublin_BART_Parking_Garagex.pdf](#)

- 7b. [19-0671](#) MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381, Revised, 4382, and 4389.

Revises the FY 2019-20 Fund Estimate, allocates \$380 million in FY 2019-20 Transportation Development Act (TDA) funds, State Transit Assistance (STA) funds, Assembly Bill 1107 (AB 1107) funds, and Regional Measure 2 (RM 2) operating and capital funds to several transit operators to support transit operations and capital projects in the region, and approves the FY 2019-20 State of Good Repair Program project list.

Action: Commission Approval

Attachments: [7b_PAC_3b_Resos-4360-4379-4380-4381-4382-4389_Fund_Estimate.pdf](#)

- 7c. [19-0696](#) MTC Resolution No. 4250, Revised. Allocation of \$2.3 million in Regional Measure 2 (RM2) funds for the Bay Bridge Forward suite of projects.

A request for an allocation of \$2.3 million in RM2 funds for the Commuter Parking Initiative project, part of the Bay Bridge Forward program.

Action: Commission Approval

Attachments: [7c PAC 3c Reso-4250 Bay Bridge Forward Allocation.pdf](#)

8. Legislation Committee (Mackenzie)

- 8a. [19-0722](#) SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Action: Support / MTC Commission Approval

Attachments: [8a Leg 5b SB 330 \(Skinner\).pdf](#)

- 8b. [19-0724](#) AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Action: Support / MTC Commission Approval

Attachments: [8b Leg 5c AB 1486 \(Ting\).pdf](#)

- 8c. [19-0721](#) AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Action: Support if Amended / MTC Commission Approval

Attachments: [8c AB 1487 \(Chiu\).pdf](#)

9. Public Comment / Other Business

10. Adjournment / Next Meetings:

The next meeting of the Commission will be held on September 25, 2019 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

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 #: 19-0812 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 6/21/2019 **In control:** Metropolitan Transportation Commission

On agenda: 7/24/2019 **Final action:**

Title: Minutes of the June 26, 2019 meeting

Sponsors:

Indexes:

Code sections:

Attachments: [6a Commission Draft Meeting Minutes 06-26-2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of the June 26, 2019 meeting

Recommended Action:
Commission Approval



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

Meeting Minutes

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, June 26, 2019

9:50 AM

Board Room - 1st Floor

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering, and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo, and Commissioner Ronen

Non-Voting Commissioner Present: Commissioner Giacopini

Non-Voting Commissioners Absent: Commissioner Stracner and Commissioner Tavares

2. Chair's Report (Haggerty)

Chair Haggerty presented a letter of appreciation for Grace Crunican on the occasion of her retirement from BART.

Richard Fuentes, BART, was called to speak.

3. Policy Advisory Council Report (Randi Kinman)

[19-0821](#) Executive Director's Report

4. Executive Director's Report (McMillan)

5. Commissioner Comments

6. Consent Calendar:

Approval of the Consent Calendar

Upon the motion by Commissioner Bruins and the second by Commissioner Josefowitz, the Consent Calendar was unanimously approved by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

6a. [19-0652](#) Minutes of the May 22, 2019 meeting

Action: Commission Approval

Programming and Allocations Committee

6b. [19-0514](#) MTC Resolution No. 4272, Revised. Transit Capital Priorities Program Revisions. Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Program.

Action: Commission Approval

6c. [19-0515](#) MTC Resolution No. 4333, Revised. Amends the FY2018-19 RM2 Operating and Marketing Program to shift funds between Solano Express Routes and provide an update on WETA's use of Bay Bridge Forward funds.

Action: Commission Approval

6d. [19-0516](#) MTC Resolution Nos. 4334, Revised, and 4335, Revised. Allocation of \$31 million in FY2018-19 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to Golden Gate Transit, SFMTA, SMART, and VTA in support of transit operations and capital projects.

Action: Commission Approval

6e. [19-0517](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-16.

Action: Commission Approval

- 6f. [19-0518](#) MTC Resolution No. 4377. Adopts the \$17 million FY2019-20 State Transit Assistance (STA) Regional Program of Projects.
Action: Commission Approval
- 6g. [19-0519](#) MTC Resolution No. 4383. Allocation of FY2019-20 Transportation Development Act (TDA) funds to County Controllers for TDA administration and to MTC for TDA administration and planning.
Action: Commission Approval
- 6h. [19-0524](#) MTC Resolution Nos. 3880, Revised, 3881, Revised, and 4347, Revised. Revisions to the Lifeline Transportation Program (LTP) Cycles 2 and 5 Program of Projects and the Proposition 1B - Regional Transit Program.
Action: Commission Approval
- 6i. [19-0522](#) MTC Resolution Nos. 3989, Revised and 4202, Revised. Revisions to the One Bay Area Grant (OBAG 2) Program and MTC Exchange Program, including the cancellation of the \$1.2 million exchange agreement with the Santa Clara Valley Transportation Authority (VTA), and various programming revisions within the Contra Costa and San Mateo County Programs.
Action: Commission Approval
- 6j. [19-0667](#) MTC Resolution No. 4273, Revised. Project Approval for FY2018-19 Cap and Trade Low Carbon Transit Operations Program.
Action: Commission Approval

Planning Committee

- 6k. [19-0380](#) MTC Resolution No. 4387 - Final Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area 2040 and the 2019 Transportation Improvement Program
Action: Commission Approval

Committee Reports

7. Administration Committee (Glover)

7a. [19-0653](#) MTC Resolution No. 4371 - MTC FY 2019-20 Agency Budget

A request for Commission approval of MTC Resolution No. 4371 - MTC FY 2019-20 Agency Budget

Action: Commission Approval

Upon the motion by Commissioner Bruins and the second by Commission Vice Chair Pedroza, the Commission unanimously adopted MTC Resolution No. 4371 - MTC FY 2019-20 Agency Budget. The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

8. Programming and Allocations Committee (Josefowitz)

8a. [19-0520](#) MTC Resolution No. 4378, Revised. Adopts the FY2019-20 Regional Measure 2 (RM2) Operating Program.

Staff will present the \$48.1 million FY2019-20 operating program for adoption.

Action: Commission Approval

Upon the motion by Commissioner Josefowitz and the second by Commissioner Worth, the Commission unanimously adopted MTC Resolution No. 4378, Revised. The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

- 8b. [19-0521](#) MTC Resolution Nos. 4379, 4380, 4381 and 4384. Allocation of \$215 million in FY2019-20 Transportation Development Act (TDA), State Transit Assistance (STA), and Regional Measure 2 (RM2) funds to County Connection (CCCTA), MTC, Transbay Joint Powers Authority (TJPA), Santa Clara Valley Transportation Authority (VTA), and WETA to support transit operations and capital projects in the region.

This month begins the annual allocation process of four different funds which are ongoing revenue sources that support the operations and capital projects of the region's transit operators, TJPA, and MTC in the upcoming fiscal year.

Action: Commission Approval

Upon the motion by Commissioner Josefowitz and the second by Commissioner Papan, the Commission unanimously adopted MTC Resolution Nos. 4379, 4380, 4381, and 4384. The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

9. Legislation Committee (Mackenzie)

- 9a. [19-0640](#) AB 970 (Salas): Grants for Nonemergency Medical Transportation

AB 970 would establish a new grant program within the California Department of Aging (CDA) to fund nonemergency medical transportation (NEMT) for seniors and persons with a disability with the goal of reducing greenhouse gas emissions. Eligible expenditures would include operation of bus service, the purchase, lease and maintenance of zero-emission or near-zero-emission vehicles with a capacity for 7, 12 or 15 passengers. The program would be funded, upon appropriation by the Legislature, with Cap and Trade revenue from the Greenhouse Gas Reduction Fund (GGRF).

Action: Support If Amended / Commission Approval

Upon the motion by Commissioner Mackenzie and the second by Commissioner Spering, the Commission unanimously adopted a support if amended position on AB 970 (Salas). The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

9b. [19-0641](#) AB 352 (Garcia, E.): Transformative Climate Communities

AB 352 would broaden eligibility for the Transformative Climate Communities (TCC) Program, a Cap and Trade-funded state grant program administered by the Strategic Growth Council (SGC), to include low-income communities that do not otherwise fall within the program's strict definition of "disadvantaged communities."

Action: Support If Amended / Commission Approval

Upon the motion by Commissioner Mackenzie and the second by Commission Vice Chair Pedroza, the Commission unanimously adopted a support if amended position on AB 352 (Garcia, E.). The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

9c. [19-0656](#) AB 784 (Mullin): Zero Emission Bus Sales Tax Exemption

AB 784 would exempt zero-emission buses (ZEBs) from the state portion of the sales and use tax until January 1, 2024. The state sales tax exemption would apply to those transit buses that are eligible for the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP).

Action: Support / Commission Approval

Upon the motion by Commissioner Mackenzie and the second by Commissioner Papan, the Commission unanimously adopted a support position on AB 784 (Mullin). The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Halsted, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 5 - Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Liccardo and Commissioner Ronen

10. Public Comment / Other Business

Jane Kramer was called to speak.

Aleta Dupree was called to speak.

Correspondence Recieved

11. Adjournment / Next Meetings:

The next meeting of the Commission will be held on July 24, 2019 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

Scott Haggerty, Chair



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0823 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/28/2019 **In control:** Administration Committee

On agenda: 7/10/2019 **Final action:**

Title: MTC Resolution No. 1058, Revised - Revision to MTC's Commission Procedures Manual

Sponsors:

Indexes:

Code sections:

Attachments: [6b Admin 2g Reso-1058 Commission Procedures Manual Revision.pdf](#)
[2g Reso-1058 Commission Procedures Manual Revision.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
MTC Resolution No. 1058, Revised - Revision to MTC's Commission Procedures Manual

Presenter:
Leslie Miessner

Recommended Action:
Commission Approval

**Metropolitan Transportation Commission
Administration Committee**

July 10, 2019

Agenda Item 2g

MTC Resolution No. 1058, Revised – Revision to MTC's Commission Procedures Manual

Subject: MTC Resolution No. 1058, Revised – Revision to MTC's Commission Procedures Manual

Background: Per Section 1.08 of MTC's Commission Procedures Manual, Commissioners shall be paid necessary travel expenses as may be authorized from time to time by the Commission.

Appendix B to MTC's Commission Procedures Manual sets forth the policy for reimbursement to Commissioners for actual and necessary expenses incurred in connection with the performance of their duties or in lieu of reimbursement for attendance at Commission or committee meetings. Under this policy, Commissioners are required to submit claims for reimbursement using the Meeting and Travel Expense Claim Form attached to Appendix B.

MTC has recently simplified the Meeting and Travel Expense Claim Form. It is therefore appropriate that the Commission Procedures Manual be amended 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.

Issues: No issues identified.

Recommendation: Staff recommends that the Committee refer MTC Resolution No. 1058, Revised to the Commission for approval to effect the revision described above.

Attachments: MTC Resolution No. 1058, Revised



Andrew B. Fremier

Date:	11/25/81	
W.I.:	11.1.1.0	
Referred by:	A&O	
Revised:	10/27/82	11/24/82
	11/27/85	02/25/87
	09/23/87	04/26/89
	09/18/89	09/26/90
	06/26/91	11/25/92
	01/27/93	12/15/93
	05/24/95	02/26/97
	12/16/98	07/28/99
	11/17/99	02/26/03
	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

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.

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
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Revised June 26, 1991
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METROPOLITAN TRANSPORTATION COMMISSION

COMMISSION PROCEDURES MANUAL

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(Last revised 06/27/18)

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)

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Appendix D

(Last revised 12/19/12)

Travel Reimbursement Rates for Citizens on Advisory Committees

Appendix E

(Last revised 09/27/17)

Standing Committees' Structure

METROPOLITAN TRANSPORTATION COMMISSION,
METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR
FREEWAYS AND EXPRESSWAYS, BAY AREA TOLL 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 ~~adopting~~ 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.

For the purposes of this Commission Procedures Manual, the term “MTC” includes the three agencies: the Metropolitan Transportation Commission, the Metropolitan Transportation Commission Service Authority for Freeways and Expressways and the Bay Area Toll 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, 2011. Except as provided in the next sentence, the next appointment dates are February 10, 2015 and February 10, 2019. The commissioners appointed by the Mayors of the Cities of Oakland and San Jose shall have an initial term of office commencing January 1, 2013 and ending in February 2015. 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 and BATA. BAIFA and BAHA 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, MTC SAFE, BAIFA and BAHA 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. In such capacity the Chair shall vote only when necessary to attain a quorum of voting members of a committee. 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. In addition, the Vice-Chair is a voting ex-officio member of all standing committees of the Commission. In such capacity the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee.

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) 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. 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, 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.

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. Legislation Committee - recommends Commission legislative policy, represents the Commission in the legislative process, and oversees the Commission's public information and citizen participation program.

6. 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. Examples of 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.

V. MISCELLANEOUS

5.01 Authority. The Metropolitan Transportation Commission finds that these procedures are necessary to carry out the purposes of the Metropolitan Transportation Commission Act. These procedures are adopted pursuant to the Commission's authority under Government Code § 66506.

5.02 Emergency Notice Provision. In the event a postal strike or other calamity makes it impossible to give notice of meetings by mail as required in these procedures, notice of meetings of the Commission and its committees shall be given to commissioners and committee members, respectively, with such time and by such means as may be practical, which may include, but not be limited to, personal service, facsimile, email and posting at MTC's website. In such event, the general public and those requesting notice of Commission and committee meetings shall be notified, if possible, by publication of notice in a newspaper or newspapers of general circulation in the region. The timing and content of such published notice shall conform, if possible, to the requirements pertaining to mailed notice set forth in these procedures.

5.03 Severability. Should any part, term, portion, or provision of these procedures be finally decided to be in conflict with any law of the United States or the State of California or otherwise be ineffectual or unenforceable, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, providing such remaining portions or provisions can be construed to stand as the Commission intended.

Appendix B
Resolution No. 1058

Travel Reimbursement to Commissioners and MTC Staff

POLICY FOR REIMBURSEMENT TO COMMISSIONERS
FOR ACTUAL AND NECESSARY EXPENSES
INCURRED IN CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES
OR IN LIEU OF REIMBURSEMENT FOR ATTENDANCE
AT COMMISSION OR COMMITTEE MEETINGS; POLICY FOR MTC STAFF OUT- OF-
REGION TRAVEL, TRAINING & RELATED BUSINESS EXPENSES

PURPOSE AND PRINCIPLES: This policy sets forth the rules and procedures for advances and reimbursement for actual and necessary expenses incurred by members of the Commission and MTC staff. Procedures pertaining to submittal of expenses and mechanics for approval for MTC staff are also contained in Executive Director Management Memorandum (EDMM) 340. In the event of any conflict between this policy and EDMM 340, this policy shall prevail.

The guiding principle of this policy is that travel on behalf of MTC is strictly in the public interest, resulting in benefit to the programs and policies MTC advocates, funds, supports and enacts.

- A. All members of the Commission shall be reimbursed for actual and necessary expenses incurred in connection with the performance of their official duties for the Commission providing, however, that in lieu of such reimbursement for attendance at Commission or committee meetings, each member of the Commission shall receive a per diem of one hundred dollars (\$100) not to exceed a combined total of five such meetings in any one calendar month, plus the necessary travel expenses as specified below. Consistent with precedent, and for clarity, such combined total of five meetings per month limit shall apply separately to MTC meetings and BATA meetings. In the case of joint powers authorities formed by MTC and BATA, meeting per diems shall count towards the BATA maximum allocation.
- B. "Committee meetings" include attendance by a commissioner at a publicly noticed meeting of an authorized standing committee of the Commission, a special committee established by action of the Commission or by the Chairman of the Commission, a joint program committee, a regional committee and a board of control created under a joint exercise of powers agreement. It also includes attendance at any public hearing sponsored by the Commission when the Chairman has appointed a special committee to conduct or supervise the hearing and the commissioner is a duly appointed member of that committee.
- C. The in-lieu reimbursement for attendance at Commission or committee meetings shall apply to a maximum of two such meetings in any one day.
- D. All members of the Commission shall, whenever possible and feasible, use public transit services in preference to privately-owned vehicles.
- E. For purposes of attending Commission or committee meetings within the region, necessary traveling expenses for members of the Commission shall include actual cost of public

transportation services or mileage allowance for the use of privately-owned vehicles and related bridge tolls and parking fees.

- F. The Bay Area is comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and for the purpose of this reimbursement to commissioners for travel expenses the policy includes the County of Sacramento. Within this region, members of the Commission, when designated by the Chairman to represent the Commission at other than meetings for which they are entitled to receive in-lieu reimbursement, shall be reimbursed for necessary authorized traveling expenses which shall include actual costs of public transportation services or use of privately-owned vehicles, related bridge tolls and parking fees, and meals.
- G. MTC Staff shall follow the rules and procedures set forth in EDMM 340. The additional rules contained in this policy also apply to MTC staff. In the event of any conflict between this policy and EDMM 340, the terms of this policy shall prevail.
- H. Out-of-region necessary travel expenses shall include actual cost of transportation including air fare, lodgings, meals, and incidentals. First and Business Class airfare is not eligible for reimbursement.
- I. As used in this policy, “international travel” shall mean travel outside of the United States and Canada.

Authority

Reimbursement to members of the Commission for actual and necessary expenses incurred in connection with the performance of their duties or in lieu of reimbursement for attendance at Commission and committee meetings plus the minimum travel expenses are provided for in Section 66504.1 of the Government Code, and with respect to BATA, Streets and Highways Code Section 30950.1.

Responsibilities

- A. Executive Director
 - 1. Responsible for developing and including in the agencies’ annual operating budget requirements for funds to support reimbursements to members of the Commission as authorized for attendance at Commission meetings and for traveling expenses. In-region and out-of-region funds will be segregated. The Executive Director shall review the travel budget with the Administration Committee on a quarterly basis in order to track actual versus budgeted expenditures.

2. Responsible for administrative processing and payment of claims for reimbursement submitted by members of the Commission in conformance with this policy.
3. Responsible for bringing all MTC staff international travel and requests for exceptions to this policy to the Administration Committee and the Chair and Vice Chair of the Commission, as appropriate.
4. Responsible for approving Deputy Executive Director and General Counsel out-of-region travel and for overseeing Deputy Executive Director approval of travel training and activities, as set forth in EDMM 340.

B. Commissioners and MTC Staff

1. Members of the Commission and MTC staff shall travel in a manner which will be most advantageous to the Commission, consistent with performing their duties for the Commission.
2. Members of the Commission shall submit claims for reimbursement for travel to the Executive Director for administrative processing and payment using the attached Meeting and Travel Expense Claim Form. A separate Meeting and Travel Expense Claim Form will be used for claiming compensation for travel for each trip for out-of-region travel. Claims for per diem and reimbursement for travel within the region may be consolidated onto a single Meeting and Travel Expense Claim Form and submitted on a monthly basis.
3. MTC staff shall submit claims for reimbursement for travel in accordance with EDMM 340.
4. All international travel shall be approved in advance by the Administration Committee.
5. All Commissioner travel shall be disclosed in regular monthly reports to the Administration Committee.
6. Any exceptions to this policy shall be approved in advance by the Chair and Vice-Chair of the Commission and reported to the Administration Committee in the next succeeding meeting. MTC staff shall coordinate such requests through the office of the Executive Director.

C. Commission Chair

1. Responsible for approving all travel and expense reports of the Executive Director, subject to advance approval by the Administration Committee relating to international travel.

Schedule for Reimbursement

- A. Commissioner attendance at Commission or committee meetings within the region:
 - 1. Per diem: \$100 per Commission or committee meeting, not to exceed a combined total of five such meetings in any one calendar month. The combined total limit shall apply separately to MTC meetings and BATA meetings.
 - 2. Travel
 - a. Public transportation service - actual cost.
 - b. Privately-owned vehicle - at the rate established by the Internal Revenue Service; related bridge tolls and parking fees are also reimbursable.

- B. Travel within the region and including the County of Sacramento for purposes other than attending Commission or committee meetings:
 - 1. Per diem: None authorized.
 - 2. Travel
 - a. Public transportation services - actual cost.
 - b. Privately-owned vehicle - at the rate established by the Internal Revenue Service; related bridge tolls and parking fees are also reimbursable.
 - c. Meals: for actual costs, receipts required; for unreceipted actual costs, amounts shall not exceed: breakfast, \$12; lunch, \$18; dinner, \$36, including tips. A Commissioner who pays the bill for a meal attended by more than one Commissioner may submit a receipt for combined meal costs. The receipt shall be accompanied by a list of the names of all Commissioners attending the meal.
 - 3. Lodging: Costs within the region and Sacramento are eligible when authorized by the Commission Chair in the case of commissioners and the Executive Director; for MTC staff, when authorized as set forth in EDMM 340.

- C. Outside the Region
 - 1. Receipted costs of lodging, meals and incidentals, such as tips for baggage handling, do not require receipts as long as they are reasonable. Unreceipted actual costs for meals shall not exceed: breakfast, \$12; lunch, \$18; dinner, \$36, including tips.
 - 2. Transportation: Actual cost; First Class and Business Class airfare are not reimbursable. Use of rental car service is a reimbursable cost to a commissioner when required or more advantageous to the Commission in the performance of official duties.

D. Business Meetings

1. For business events hosted by MTC, the Commission expects the Executive Director to be responsible for determining if the meeting is necessary and to adhere to the following guidelines:
 - a) Authorization for hosting meetings or events may be granted only for the following objectives:
 - (1) The event is directly related to clearly identified MTC business; or
 - (2) The event aims to improve MTC's working relationship with other agencies, organizations, or groups having a direct impact on MTC's activities.
 - b) Any large business meeting, defined as a meeting in which the cost of food and beverage may be expected to exceed \$1,000, must have the advance authorization of MTC's Administration Committee.
 - c) Other business meetings (having a cost of less than \$1,000) arranged by the Executive Director shall be documented in his monthly expense report.

MTC / BATA Commissioner Monthly Meeting and Travel Expense Claim: Within Region Travel

Instructions to Commissioners: please review and sign if you are in agreement with amount indicated then return signed form to Meeting Clerk or Secretary.

Instructions to Staff: fill in yellow shaded fields as appropriate.

Commissioner's Name (Last Name, First Name):

Month / Year of Reimbursement Claim:

Total to Be Reimbursed:
\$ -

Vendor Code

\$100 Per Meeting Attended*		
Metropolitan Transportation Commission and Committee Meetings (Up to Five (5) Meetings)*	Meeting Date	"X" If Attended
Administration Committee 101 199 501 5703		
Programming & Allocations Committee 101 199 501 5703		
Legislation Committee 101 199 501 5703		
Operations Committee 101 199 501 5703		
Planning Committee 101 199 501 5703		
Metropolitan Transportation Commission 101 199 5015703		
Policy Advisory Council 101 199 804 5703		

Number of Meetings Attended:	0
Number of Meetings Attended To Be Reimbursed:	0

Bay Area Toll Authority and Committee Meetings (Up to Five (5) Meetings)*	Meeting Date	"X" If Attended
Bay Area Toll Authority (BATA) 850 0000 015703		
Bay Area Infrastructure Financing Authority (BAIFA)		
Bay Area Toll Authority Oversight Committee		
Bay Area Regional Collaborative (BARC)		
Bay Area Headquarters Authority (BAHA) 901 9110 185703		

Number of Meetings Attended:	0
Number of Meetings Attended To Be Reimbursed:	0

Performance of Other Official Duties of the Commission (Up to Five (5) Meetings)*	Meeting Date	"X" If Attended	Location	Miles Driven (\$0.58 per Mile Driven)	Public Transit	Parking	Tolls	Meals	Totals
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
				\$ -					\$ -
Number of Meetings Attended:	0								\$ -
Number of Meetings Attended To Be Reimbursed:	0								

Signature

Date

Travel Reimbursement Amount at \$0.58/Mile: (per meeting date referenced below)

Transit & Parking Reimbursement Amount: (per meeting date referenced below)	# of Meetings
	0

Per Diem Amount: (\$100 per meeting / per sections on left)	# of Meetings
\$ -	0



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0702 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 6/6/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution No. 3914, Revised. Rescission of \$264,000 in AB1171 funds savings on previous Transbay Transit Center design and pre-construction phases, and reallocation to construction close-out.

Sponsors:

Indexes:

Code sections:

Attachments: [6c PAC 2c Reso-3914 Transbay Transit Center Rescission.pdf](#)
[2c Reso-3914 Transbay Transit Center Rescission.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 3914, Revised. Rescission of \$264,000 in AB1171 funds savings on previous Transbay Transit Center design and pre-construction phases, and reallocation to construction close-out.

Presenter:

Craig Bosman

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 10, 2019

Agenda Item 2c

MTC Resolution No. 3914, Revised

Subject: A request for the rescission of \$264,000 in AB 1171 funds savings on previous Transbay Transit Center design and pre-construction phases, and reallocation for construction close-out.

Background: This item is a rescission and reallocation request for AB1171 funds allocated to the Transbay Joint Powers Authority (TJPA) for the Transbay Transit Center. TJPA has identified approximately \$264,000 in savings from allocation number 21, approved by the Commission on March 23, 2011, for finalizing the design and completing pre-construction and early construction on the Transbay Transit Center. TJPA has requested that these funds be reallocated to a new allocation for construction close-out activities, including construction management and general contractor services.

The construction contract close-out is anticipated to be complete by the end of Fiscal Year 2019-20.

Issues: None

Recommendation: Refer MTC Resolution No. 3914, Revised, to the Commission for approval.

Attachments: MTC Resolution No. 3914, Revised


Alix Bockelman

Date: June 24, 2009
W.I.: 1255
Referred by: PAC
Revised: 12/16/09-C 02/24/10-C 03/24/10-C
06/23/10-C 07/28/10-C 10/27/10-C
12/15/10-C 03/23/11-C 05/25/11-C
06/22/11-C 07/27/11-C 09/28/11-C
11/16/11-C 03/28/12-C 06/27/12-C
07/25/12-C 11/28/12-C 01/23/13-C
06/26/13-C 07/24/13-C 09/25/13-C
10/23/13-C 12/18/13-C 02/26/14-C
03/26/14-C 10/22/14-C 12/17/14-C
01/27/16-C 05/25/16-C 09/28/16-C
11/16/16-C 06/28/17-C 09/26/18-C
01/23/19-C 07/24/19-C

ABSTRACT

Resolution No. 3914, Revised

This resolution allocates AB 1171 Bridge Toll funds to eligible projects.

This resolution includes the following attachments:

Attachment A – Allocations of AB 1171 Bridge Toll funds

This resolution was revised on December 16, 2009 to allocate \$13.9 million to BART towards the eBART project for construction of the transfer station at the Pittsburg Bay Point BART station and guideway to Railroad Avenue.

This resolution was revised on February 24, 2010 to allocate AB 1171 funds to the Transbay Joint Powers Authority, \$10.7 million towards the final design phase of the Transbay Transit Center, and \$5.226 million towards the Program Management/Program Controls (PMPC) services for the project.

This resolution was revised on March 24, 2010 to allocate a total of \$13 million in AB 1171 funds to CCTA towards the construction of eBART median structures to be integrated into Segments 1, 2, 3, 4, and 5 of Caltrans/CCTA State Route 4 contracts, and towards right-of-way to accommodate e-BART.

ABSTRACT

MTC Resolution No. 3914, Revised

Page 2

This resolution was revised on June 23, 2010 to allocate a total of \$11 million in AB 1171 funds to BART towards the completion of final design on the eBART project. This resolution was also revised to allocate \$134 million towards the final design phase for the Transit Center building and ramps and construction of the Transit Center, including the below-grade rail levels of the Transit Center.

This resolution was revised on July 28, 2010 to allocate \$5 million to BART towards the Line, Trackwork, Systems & Station (LTSS) construction and related activities for the BART Warm Springs Extension project; \$1.25 million to ACCMA towards purchase of right-of-way and \$250,000 to MTC for an independent Opportunity/Risk Analysis for the BART to Livermore ROW Preservation project; and \$2.8 million towards the initial project development activities for the Regional Express Lane Network.

This resolution was revised on October 27, 2010 to allocate a total of \$73.6 million to BART towards the purchase of Diesel Multiple Unit (DMU) vehicles for the eBART project.

This resolution was revised on December 15, 2010 through Commission action to allocate \$7 million for environmental and preliminary engineering for the I-80/I-680/SR-12 Interchange project in Solano County.

This resolution was revised on March 23, 2011 through Commission action to rescind \$52 million from the October 27, 2010 allocation of \$73.6 million for the purchase of Diesel Multiple Unit (DMU) vehicles for the eBART project. This resolution was also revised to allocate \$19 million for construction and construction management activities on State Route 4 related to eBART.

This resolution was revised on May 25, 2011 through Commission action to rescind \$76 million from the June 23, 2010 allocation of \$134 million towards the final design phase for the Transit Center building and ramps and construction of the Transit Center, including the below-grade rail levels of the Transit Center.

This resolution was revised on June 22, 2011 through Commission action to allocate \$26.4 million for the construction of the I-80 Eastbound Cordelia Truck Scales Relocation project in Solano County.

ABSTRACT

MTC Resolution No. 3914, Revised

Page 3

This resolution was revised on July 27, 2011 to update the allocation conditions for the BART Warm Springs project to add principles for addressing potential cost increases.

This resolution was revised on September 28, 2011 to allocate \$27.1 million to CCTA towards construction and construction management activities for the integration of eBART median structures into Caltrans/CCTA SR 4 contract segments and to accommodate eBART in the SR4 median.

This resolution was revised on November 16, 2011 to allocate \$6.5 million to VTA towards construction and construction management activities for the Mission/Warren/Truck-Rail Facility.

This resolution was revised on March 28, 2012 to rescind \$3,817,000 from allocation #17 for the I-80 Eastbound Cordelia Truck Scales Relocation project; and allocate \$14,280,000 for the I-80/680/12 Interchange Initial Construction Package 1 project towards right-of-way acquisition.

This resolution was revised on June 27, 2012 to allocate \$73.7 million to the Transbay Joint Powers Authority to certify upcoming construction contracts, finalize the Transbay Transit Center design, fund remaining Construction Management/General Contractor (CM/GC) services on the project, and fund pre-bid construction management for the “steel cast nodes” elements of glass exterior shell.

This resolution was revised on June 27, 2012 to allocate \$9.41 million to BART for eBART for the completion of Final Design and Construction Management (CM) and Design Service during Construction (DSDC) for the maintenance shop shell, Hillcrest parking lot and re-alignment construction at the Slatten Ranch Rd. This resolution is also being revised to rescind \$13.5 million in savings from prior allocations on this project.

This resolution was revised on July 25, 2012 to allocate \$8.5 million to the Solano Transportation Authority for the completion of the environmental document and preliminary engineering of the I-80/680/12 Interchange project, and to amend the scope of allocation #14 to include eligible expenses from all three phases of the interchange project, effective as of the original date of allocation.

ABSTRACT

MTC Resolution No. 3914, Revised

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This resolution was revised on November 28, 2012 to allocate \$5.98 million to the Solano Transportation Authority for utility relocation and right-of-way activities for the I-80/680/12 Interchange project.

This resolution was revised on January 23, 2013 to allocate \$5.8 million to the Solano Transportation Authority for utility relocation and right-of-way activities for the I-80/680/12 Interchange project; \$8.6 million to BART towards the environmental, conceptual engineering, and project approval phase of the BART to Livermore Extension project; and \$0.75 million to the SMART project towards design for the re-construction of the SMART track facilities between Santa Rosa North and Sonoma County Airport area. The Commission also approved program commitments of: 1) \$4.4 million, subject to future allocation, towards the re-construction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area; and 2) \$0.5 million to BART for the eBART project.

This resolution was revised on June 26, 2013 to allocate \$822,008 to the Solano Transportation Authority for the final design of the I-80/680/12 Interchange project.

This resolution was revised on July 24, 2013 to extend the timeframe for a condition on a prior allocation of \$8.6 million in AB1171 funds, towards the completion of environmental documentation for proposed BART to Livermore project.

This resolution was revised on September 25, 2013 to allocate \$5.5 million in AB 1171 funds for the final design of packages 2 and 3, and \$29.5 million for the construction of package 1 of the I-80/680/12 Interchange project in Solano County.

This resolution was revised on October 23, 2013 to allocate \$0.1 million in AB 1171 funds for the right-of-way phase of package 1 of the I-80/680/12 Interchange project in Solano County.

This resolution was revised on December 18, 2013 to allocate \$9.533 million in AB 1171 funds to BART for the construction of eBART trackwork, system, and facility finishes, construction management, and design services during construction; and \$9.4 million in AB 1171 funds to the SMART project for re-construction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area and construction of a station at the Sonoma County Airport.

ABSTRACT

MTC Resolution No. 3914, Revised

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This resolution was revised on February 26, 2014 to allocate \$1,124,327 in AB 1171 funds to the Transbay Joint Powers Authority for Construction Manager/General Contractor pre-construction services for the Transbay Transit Center building and related structures.

This resolution was revised on March 26, 2014 to rescind \$1 million in AB 1171 funds from the I-80/680/12 Interchange project in Solano County (allocation number 30) and allocate \$1 million in AB 1171 funds to the I-80 Freeway Performance Initiative work element of the I-80/680/12 Interchange project in Solano County, which benefits the I-80/680/12 Interchange area.

This resolution was revised on October 22, 2014 to allocate \$9 million in AB 1171 funds to the City of Fairfield for construction of the Fairfield/Vacaville Intermodal Train Station.

This resolution was revised on December 17, 2014 to allocate \$500,000 in AB 1171 funds to BART for the eBART project.

This resolution was revised on January 27, 2016 to rescind \$2,189,000 in AB 1171 funds from the construction phase of the I-80/680/12 Interchange Initial Construction Package #1 (I-80/SR-12 Interchange) project (allocation number 30) and allocate \$2,189,000 in AB 1171 funds to the right-of-way phase of the I-80/680/12 Interchange Initial Construction Package #2 (Red Top Road Interchange) project, both of which are located in Solano County.

This resolution was revised on May 25, 2016 to rescind \$1,142,000 in AB 1171 funds from the right-of-way phase of the I-80/680/12 Interchange Initial Construction Package #1 (I-80/SR-12 Interchange) project (allocation number 20) and allocate \$1,142,000 in AB 1171 funds to the final design phase of the I-80/680/12 Interchange Initial Construction Package #2 (Red Top Road Interchange) and Package #3 (I-80/680 Interchange) project, both of which are located in Solano County.

This resolution was revised on September 28, 2016 to allocate \$1,632,000 in AB 1171 funds to BART for additional scope for the environmental, conceptual engineering, and project approval phase of the BART to Livermore Extension project.

This resolution was revised on November 16, 2016 to rescind \$125,206 from the right-of-way phase of the I-80/680/12 Interchange Initial Construction Package #1 project (allocation #25),

ABSTRACT

MTC Resolution No. 3914, Revised

Page 6

rescind \$251,607 from the final design phase of the I-80/680/12 Interchange Initial Construction Packages #2 and #3 project (allocation #39), and allocate \$376,813 to the right-of-way phase for the I-80/680/12 Interchange Initial Construction Packages #2 and #3 project (allocation #41).

This resolution was revised on June 28, 2017 to rescind \$331,157 from Allocation #21 and \$497,685 from Allocation #34 to the Transbay Transit Center project, and allocate \$2,028,515 for construction on the Transbay Transit Center project.

This resolution was revised on September 26, 2018 to allocate \$10,120,000 in AB1171 funds to the Tri-Valley—San Joaquin Valley Regional Rail Authority for CEQA documentation and preliminary engineering on the Valley Link rail project.

This resolution was revised on January 23, 2019 to rescind savings of \$142,200 from Allocation #16 and \$10,692 from Allocation #18 to the e-BART project, and allocate \$152,892 to BART for construction on the e-BART Parking Lot Expansion at Antioch Station project.

This resolution was revised on July 24, 2019 to rescind savings of \$264,010 from Allocation #21 to the Transbay Transit Center project and allocate \$264,010 to TJPA for construction on the Transbay Transit Center project.

Additional discussion of this allocation is contained in the Executive Director's memoranda and MTC Programming and Allocations Committee Summary sheet dated June 10, 2009, December 9, 2009, February 10, 2010, March 10, 2010, June 9, 2010, July 14, 2010, October 13, 2010, December 8, 2010, March 9, 2011, May 11, 2011, June 8, 2011, July 13, 2011, September 14, 2011, November 9, 2011, March 7, 2012, June 13, 2012, July 11, 2012, November 14, 2012, January 9, 2013, July 10, 2013, September 11, 2013, October 9, 2013, December 11, 2013, March 5, 2014, October 8, 2014, December 10, 2014, January 13, 2016, May 11, 2016, September 14, 2016, November 9, 2016, June 14, 2017, September 12, 2018, January 9, 2019, and July 10, 2019.

Date: June 24, 2009
W.I.: 1255
Referred By: PAC

RE: Allocation of AB 1171 Bridge Toll funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3914

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

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

WHEREAS, pursuant to Streets and Highways Code (SHC) Section 31010(b), funds generated in excess of those needed to meet the toll commitments as specified by paragraph (4) of subdivision (b) of Section 188.5 of the SHC shall be available to BATA for funding projects consistent with SHC Sections 30913 and 30914; and

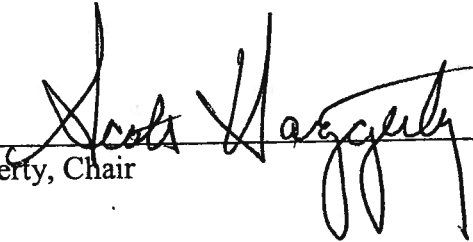
WHEREAS, MTC adopted Resolution 3434, Revised, which establishes commitments of AB 1171 bridge toll funds to specific projects and corridors; and be it

RESOLVED, that MTC approves the allocation and reimbursement of AB 1171 bridge toll funds in accordance with the amount, conditions and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

RESOLVED, that should the allocation of AB 1171 Bridge Toll Funds be conditioned on the execution of a funding agreement, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with claimant that includes the provisions contained in Attachment A.

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

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 June 24, 2009.

Date June 24, 2009
 W.I.: 1255
 Referred by: PAC
 Revised: 12/16/09-C 02/24/10-C 03/24/10-C
 06/23/10-C 07/28/10-C 10/27/10-C
 12/15/10-C 03/23/11-C 05/25/11-C
 06/22/11-C 07/27/11-C 09/28/11-C
 11/16/11-C 03/28/12-C 06/27/12-C
 07/25/12-C 11/28/12-C 01/23/13-C
 06/26/13-C 07/24/13-C 09/25/13-C
 10/23/13-C 12/18/13-C 02/26/14-C
 03/26/14-C 10/22/14-C 12/17/14-C
 01/27/16-C 05/25/16-C 09/28/16-C
 11/16/16-C 06/28-17-C 09/26/18-C
 01/23/19-C 07/24/19-C

Attachment A
 Resolution No. 3914
 Page 1 of 37

ALLOCATION OF AB 1171 Bridge Toll Funds
 Allocation Authorization: S&H § 31010(b)

Alloc. #	Fiscal Year	Claimant	Project Title	Allocation Amount	Date of MTC Approval	Allocation Conditions
01	2008-09	San Francisco County Transportation Authority (SFCTA)	Doyle Drive project	\$80,000,000	06/24/2009	<p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and SFCTA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>SFCTA shall agree to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</p>
02	2009-10	Bay Area Rapid Transit District (BART)	e-BART	\$13,890,000	12/16/2009	<p>Allocation and disbursement is contingent upon the execution of a funding agreement between MTC and BART for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>BART shall agree to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement be subject to MTC Resolution No. 3636, Revised, unless otherwise stated in the agreement.</p>

21	2011-12	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	\$73,700,000	06/27/12	<p>Scope of work: This allocation funds the following:</p> <ol style="list-style-type: none"> 1) Construction of the Transit Center “below grade structure” - \$41.5 M 2) Finalize Transit Center design - \$27.4 M 3) Complete remaining CM/GC pre-construction services - \$2.8 M 4) Pre-bid construction administration for structural cast steel nodes - \$2 M <p><i>Conditions:</i> Allocation and disbursement is contingent upon: a) Approval of the Initial Project Report (IPR) package by the TJPA board; and b) execution of a funding agreement between MTC and TJPA for the AB 1171 Bridge Toll funds. Such agreement shall include the following provisions:</p> <p>TJPA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under the funding agreement shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p> <p>Note: For this allocation, TJPA may send more than one invoice per month to MTC, as long as they don’t invoice more frequently than monthly for each vendor/contractor.</p>
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41	2016-17	Solano Transp. Authority (STA)	I-80/680/12 Interchange Initial Construction Package (ICP)	\$376,813	11/16/16	<p>Scope of work: This allocation funds the right-of-way phase of the I-80/680/12 Interchange Initial Construction Packages 2 and 3 (Red Top Road Interchange and I-80/680 Interchange) project.</p> <p>STA agrees to comply with the provisions of MTC Resolution No 3636, Revised and that any AB 1171 Bridge Toll funds received under this allocation shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>
21	2011-12	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	(\$331,157)	6/28/17	<p>This rescission of \$331,157 reduces Allocation #21 to \$73,368,843.</p> <p>The remaining \$73,368,843 allocation in AB 1171 funds is subject to the scope and conditions listed under Allocation #25.</p>
34	2013-14	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	(\$497,685)	6/28/17	<p>This rescission of \$497,695 reduces Allocation #34 to \$626,642.</p> <p>The remaining \$626,642 allocation in AB 1171 funds is subject to the scope and conditions listed under Allocation #34.</p>
42	2016-17	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	\$2,028,515	6/28/17	<p>Scope of work: This allocation funds construction of the Transbay Transit Center Building and Related Structures.</p> <p>TJPA agrees to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll Funds received under this allocation shall be subject to MTC Resolution No. 3636, Revised, unless otherwise agreed herein.</p>

18	2011-12	CCTA	e-BART	(\$10,692)	1/23/19	<p>This rescission of \$10,692 reduces Allocation #18 to \$27,089,308.</p> <p>The remaining \$27,089,308 allocation in AB 1171 funds is subject to the scope and conditions listed under Allocation #34.</p>
44	2018-19	BART	e-BART Parking Lot Expansion at Antioch Station	\$152,892	1/23/19	<p>Scope of Work: This allocation is for construction on the e-BART Parking Lot Expansion at Antioch Station project and related improvements.</p> <p><i>Conditions:</i> Allocation and disbursement is contingent upon BART: (1) completing the project described in its Initial Project Report (2) complying with all provisions of MTC Resolution No. 3636, Revised. AB 1171 funds received under this allocation are subject to MTC Resolution No. 3636, Revised.</p>
21	2011-12	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/ Downtown Caltrain Extension	(\$264,009.68)	7/24/19	<p>This rescission of \$264,009.68 reduces Allocation #21 to \$73,104,833.</p> <p>The remaining \$73,104,833 allocation in AB 1171 funds is subject to the scope and conditions listed under Allocation #21.</p>
45	2019-20	Transbay Joint Powers Authority (TJPA)	Transbay Transit Center/Downtown Caltrain Extension	\$264,009.68	7/24/19	<p>Scope of Work: This allocation funds construction close-out activities, including construction management oversight services, the construction manager/general contractor construction services, and staff support cost.</p> <p>TJPA agrees to comply with the provisions of MTC Resolution No. 3636, Revised and that any AB 1171 Bridge Toll Funds received under this allocation shall be subject to MTC Resolution No. 3636, Revised.</p>

Total Allocated	\$496,801,700
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* On January 23, 2013, MTC approved program commitments of: 1) \$4.4 million (subject to future allocation action) towards the reconstruction of the SMART track facilities between Santa Rosa North and the Sonoma County Airport area; and 2) \$0.5 million to BART for the eBART project.

** The December 18, 2013 allocation (#32) to SMART includes the \$4.4 million indicated in the footnote above.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0672 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 5/30/2019 **In control:** Programming and Allocations Committee

On agenda: 7/10/2019 **Final action:**

Title: MTC Resolution No. 4202, Revised. Revision to the One Bay Area Grant Program (OBAG 2), to delegate authority to the Executive Director or designee to enter into Letters of Understanding with regional agencies for the exchange of federal Surface Transportation Block Grant Program (STP) or Congestion Mitigation and Air Quality Improvement (CMAQ) funds, within certain conditions and limitations, and to delegate to a Committee of the Commission the authority to approve exchanges beyond these conditions and limitations.

Sponsors:

Indexes:

Code sections:

Attachments: [6d PAC 2d Reso-4202 OBAG2 Revisions.pdf](#)
[2d Reso-4202 OBAG2 Revisions.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4202, Revised. Revision to the One Bay Area Grant Program (OBAG 2), to delegate authority to the Executive Director or designee to enter into Letters of Understanding with regional agencies for the exchange of federal Surface Transportation Block Grant Program (STP) or Congestion Mitigation and Air Quality Improvement (CMAQ) funds, within certain conditions and limitations, and to delegate to a Committee of the Commission the authority to approve exchanges beyond these conditions and limitations.

Presenter:

Mallory Atkinson

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 10, 2019**Agenda Item 2d**

MTC Resolution No. 4202, Revised

Subject: Revision to the One Bay Area Grant Program (OBAG 2), to delegate authority to the Executive Director or designee to enter into Letters of Understanding with regional agencies for the exchange of federal Surface Transportation Block Grant Program (STP) or Congestion Mitigation and Air Quality Improvement (CMAQ) funds, within certain conditions and limitations, and to delegate to a Committee of the Commission the authority to approve exchanges beyond these conditions and limitations.

Background: The OBAG 2 program adopted by the Commission establishes 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 FY2017-18 through FY2021-22. This month, staff proposes the following revision to the administration of the OBAG 2 program:

Delegation for Letters of Understanding for the exchange of STP/CMAQ funds

It is often difficult for smaller regions to fully utilize their federal funds and deliver projects through the federal-aid process. This can place these more rural regions in conflict with state and federal timely use funds provisions, such as Sections 182.6 and 182.7 of the State Streets and Highways Code, which require federal apportionment to be secured (obligated) within three years of federal eligibility, or when Congress enacts rescissions of unobligated funds. The SF Bay Area region is often in the opposite situation – more projects are ready for delivery than funds available each year.

Regions also find themselves in situations where a project or activity is ineligible for a certain federal fund source such as CMAQ, and may require STP, while another region can easily use either fund source.

To address these funding issues, regions may enter into exchange agreements, where older unused STP/CMAQ funds subject to lapse or rescission from one region are “exchanged” with future funds from a region that can use the funds by the deadline. Such exchanges benefit both regions by avoiding the loss of funds in one region, while another region can advance projects that may be otherwise stalled due to a lack of eligible funding.

MTC has entered into several exchange agreements over the past few years, including the latest agreement with the Mariposa County Local Transportation Commission under agenda item 2h on this agenda. These agreements are becoming more frequent and are purely administrative in nature.

To facilitate and streamline such exchanges, which are usually time sensitive, it is recommended that the Commission delegate authority to the Executive Director or designee to sign letters of understanding with other regions for the exchange of STP/CMAQ funds within the conditions and limitations outlined below.

- The exchange does not negatively impact the delivery of the MTC Region's OBAG STP/CMAQ projects.
- The amount exchanged does not exceed \$2 million per region per year.
- The exchange is a dollar for dollar exchange.
- The exchange is allowed under Caltrans' obligation authority management policy.
- The Letter of Understanding can be executed in time for the MTC to secure the funds prior to any lapse or rescission.
- If any timely use of funds deadlines or Caltrans processes are not met in time and therefore result in the loss of apportionment balance, MTC's apportionment shall not be negatively affected and the Letter of Understanding is null and void.

Exchanges beyond these conditions and limitations may be approved by a standing Committee of the Commission.

Issues: None.

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

Attachments: MTC Resolution No. 4202, Revised, Attachment A



Alix Bockelman

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

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.

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

ABSTRACT

MTC Resolution No. 4202, Revised

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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 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

ABSTRACT

MTC Resolution No. 4202, Revised

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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.

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

ABSTRACT

MTC Resolution No. 4202, Revised

Page 4

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 (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.

ABSTRACT

MTC Resolution No. 4202, Revised

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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 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.

ABSTRACT

MTC Resolution No. 4202, Revised

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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 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

ABSTRACT

MTC Resolution No. 4202, Revised

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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 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 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.**

ABSTRACT

MTC Resolution No. 4202, Revised

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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, and July 10, 2019.

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

Date: November 18, 2015
W.I.: 1512
Referred by: P&A
Revised: 07/27/16-C 10/26/16-C
12/20/17-C 03/27/19-C
07/24/19-C

Attachment A
Resolution No. 4202

OBAG 2
One Bay Area Grant Program
Project Selection Criteria and Programming Policy

8. Regional STP/CMAQ Exchanges. It is often difficult for smaller regions to fully utilize their federal funds and deliver projects through the federal-aid process. This can place these more rural regions in conflict with state and federal timely use funds provisions, such as Sections 182.6 and 182.7 of the State Streets and Highways Code which require federal apportionment to be secured (obligated) within three years of federal eligibility, or when Congress enacts rescissions of unobligated funds. The SF Bay Area region is often in the opposite situation – more projects are ready for delivery than funds available each year.

Regions also find themselves in situations where a project or activity is ineligible for a certain federal fund source such as CMAQ, and may require STP, while another region can easily use either fund source.

To avoid the lapsing of funds and address these funding issues, regions may enter into exchange agreements, where older unused STP/CMAQ funds subject to lapse or rescission from one region are “exchanged” with future funds from a region that can use the funds by the deadline. Or a simple fund source exchange is needed. Such exchanges benefit both regions by avoiding the loss of funds in one region, while another region can advance projects that may be stalled due to a lack of eligible funding.

To facilitate such exchanges, the MTC Executive Director or designee is hereby authorized to sign letters of understanding with other regions for the exchange of STP/CMAQ funds with the following conditions and limitations.

- The exchange does not negatively impact the delivery of regional STP/CMAQ projects.
- The amount exchanged does not exceed \$2 million per region per year.
- The exchange is a dollar for dollar exchange.
- The exchange is allowed under Caltrans’ obligation authority management policy.
- The Letter of Understanding can be executed in time for the MTC to secure the funds prior to any lapse or rescission.
- If any timely use of funds deadlines or Caltrans processes are not met in time and therefore result in the loss of apportionment balance, MTC’s apportionment shall not be negatively affected and the Letter of Understanding is null and void.

Exchanges beyond these conditions and limitations may be approved by a standing Committee of the Commission.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0676 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 5/31/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution No. 4388. Programming for FY2019-20 and allocation of approximately \$2.9 million in Five Percent Unrestricted State Fund Revenues and \$0.6 million in Two Percent Bridge Toll Revenues for WETA ferry operations and the San Francisco Bay Trail project.

Sponsors:

Indexes:

Code sections:

Attachments: [6e PAC 2e Reso-4388 WETA and SF Bay Trail Project P&A.pdf](#)
[2e Reso-4388 WETA and SF Bay Trail Project P&A.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4388. Programming for FY2019-20 and allocation of approximately \$2.9 million in Five Percent Unrestricted State Fund Revenues and \$0.6 million in Two Percent Bridge Toll Revenues for WETA ferry operations and the San Francisco Bay Trail project.

Presenter:

Christina Hohorst

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 10, 2019

Agenda Item 2e

MTC Resolution No. 4388

Subject: Programming for FY2019-20 and allocation of approximately \$2.9 million in Five Percent Unrestricted State Fund Revenues and \$0.6 million in Two Percent Bridge Toll Revenues for WETA ferry operations and the San Francisco Bay Trail project.

Background: The Two Percent Bridge Toll Revenues are derived from the transit element of Regional Measure 1 (RM1). The Five Percent Unrestricted State Fund Revenues are state funds derived from a cooperative agreement between the California Department of Transportation, Federal Highway Administration, and the Bay Area Toll Authority (BATA) following state action to “federalize” certain toll bridge projects under BATA’s jurisdiction. The state funds replace the Five Percent Bridge Toll Program funds originally generated from RM1 bridge toll revenues for ferry operations. Programming and allocation policies for both funding sources are outlined in MTC Resolution No. 4015.

The Five Percent Revenues totaling \$2.9 million are proposed to continue to fund the San Francisco Bay Trail project and for WETA to operate the Alameda/Oakland and Vallejo Ferry routes in FY2019-20. The Two Percent Revenues totaling \$0.6 million are proposed to fund San Francisco Bay Trail program management and capital support and a ferry capital project for WETA. The ferry capital funds will support preventative maintenance for the M/V Argo, M/V Carina, M/V Gemini, and the M/V Pyxis through an overhaul of their main propulsion engines in accordance with the original equipment manufacturer’s requirements to maintain safe and reliable operations through the end of each vessel’s useful life.

The table below summarizes the staff recommendation for FY2019-20 funding for both programs.

Agency	Project	Five Percent Unrestricted State Fund Revenues	Two Percent Bridge Toll Revenues	Total Allocation
WETA	Operation of Alameda/Oakland and Vallejo Ferry Routes	\$2,642,300	\$0	\$2,642,300
	Propulsion Engine Overhaul of M/V Argo, M/V Carina, M/V Gemini and M/V Pyxis	\$0	\$153,070	\$153,070
MTC	Bay Trail Project	\$273,421	\$450,000	\$723,421
Totals:		\$2,915,721	\$603,070	\$3,518,791

Issues: None.

Recommendation: Refer MTC Resolution No. 4388 to the Commission for approval.

Attachments: MTC Resolution No. 4388.



Alix Bockelman

Date: July 24, 2019
W.I.: 1514
Referred by: PAC

ABSTRACT

Resolution No. 4388

This resolution approves the Five Percent Unrestricted State Fund Revenues and the Two Percent Bridge Toll Revenues program of projects and allocation of funds for FY2019-20. Attachment A to this resolution lists the projects to be funded.

Further discussion is contained in the MTC Programming and Allocations Summary sheet dated July 10, 2019.

Date: July 24, 2019
W.I.: 1514
Referred by: PAC

RE: Programming and Allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues in the Fiscal Year 2019-20 to Various Claimants

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4388

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, with the toll increase authorized by the Regional Measure 1, approved by the voters on November 8, 1988, 3% of the revenue from the toll increase collected on all the state-owned bridges in the region may be allocated by MTC pursuant to Streets and Highways Code §§ 30913 and 30914, for certain projects which are designed to reduce vehicular traffic congestion on these bridges; and

WHEREAS, Streets and Highways Code §§ 30913 and 30914 have been amended to require that an additional 2% of those toll revenues be allocated by MTC for the planning, construction, and acquisition of rapid water transit systems; and,

WHEREAS, pursuant to Streets and Highways Code § 30894, MTC has adopted MTC Resolution No. 4015 which sets forth MTC's Bridge Toll Revenue Allocation Policy and established the Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues Programming and Allocation Policy; and

WHEREAS, the claimants listed on Attachment A have submitted applications to MTC for allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues in FY 2019-20; and

WHEREAS, those applications are for projects and purposes that are in conformance with MTC's Regional Transportation Plan, with the requirements of the California Environmental Quality Act (Public Resources Code § 2100 et seq.) and the State Environmental Impact Report Guidelines (14 Cal. Admin. Code § 15000 et seq.); now therefore, be it

RESOLVED, that MTC approves the programming and allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues in FY2019-20 to the claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length.

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 San Francisco, California on July 24, 2019.

ALLOCATION OF FIVE PERCENT UNRESTRICTED STATE FUND REVENUES AND
TWO PERCENT BRIDGE TOLL REVENUES
FOR FISCAL YEAR 2019-20

Five Percent Unrestricted State Fund Revenues

Claimant	Project Title	Allocation Amount	Alloc. Code	Approval Date
WETA	Operation of Vallejo and Alameda Ferry Routes	2,642,300	01	7/24/2019
MTC	Bay Trail Project Operations ¹	273,421	02	7/24/2019
Total - Five Percent Unrestricted State Fund Revenues		\$2,915,721		

Two Percent Bridge Toll Revenues

Claimant	Project Title	Allocation Amount	Alloc. Code	Approval Date
WETA	Propulsion Engine Overhaul of M/V Argo, M/V Carina, M/V Gemini and M/V Pyxis	153,070	03	7/24/2019
MTC	Bay Trail Project Management and Capital Support	450,000	04	7/24/2019
Total - Two Percent Bridge Toll Revenues		\$603,070		
TOTAL		\$3,518,791		

¹ Amount reflects adjustment calculated every three years, beginning in FY2011-12, per Bridge Tolls Policy Resolution No. 4015; ABAG's next increase will occur in FY2020-21.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0686 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent
File created: 5/31/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-18.

Sponsors:

Indexes:

Code sections:

Attachments: [6f PAC 2f Reso-4375 TIP Amendment 2019-18.pdf](#)
[2f Reso-4375 TIP Amendment 2019-18.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-18.

Presenter:

Adam Crenshaw

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 10, 2019

Agenda Item 2f

MTC Resolution Nos. 4375, Revised

Subject: 2019 Transportation Improvement Program (TIP) Amendment 2019-18.

Background: The federally required TIP is a comprehensive listing of Bay Area surface transportation projects that receive federal funds, are subject to a federally required action or are regionally significant. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP at least once every two years. The 2019 TIP, covering the four-year period from FY 2018-19 through 2021-22, was adopted by the Commission on September 26, 2018, and approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on December 17, 2018. The 2019 TIP is valid for four years under federal regulations. The TIP may be revised to make necessary changes prior to the next update. The TIP is posted on MTC's website at: <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program>.

Amendment 2019-18 makes revisions to nine projects with a net funding increase of approximately \$115 million. Among other changes, this revision:

- Amends four new exempt projects into the TIP and updates one existing project to reflect the recent CTC approval of Regional Active Transportation Program (rATP), Cycle 4;
- Amends San Jose's Better Bikeway San Jose – San Fernando Street project into the TIP to reflect the award of Statewide Competitive ATP funds; and
- Updates the funding plan of the Caltrans managed Highway Bridge Program grouped listing.

The revisions made with this amendment do not conflict with the financial constraint requirements of the TIP, and therefore the 2019 TIP remains financially constrained with this amendment.

The 2019 TIP is also designed such that, once implemented, it makes progress toward achieving the performance targets established per federal regulations.

The revisions made pursuant to this amendment will not change the air quality conformity finding; therefore, a conformity determination is not required.

The TIP Revision Summary for this amendment is attached (Attachment 1) and is also available in the MTC offices at 375 Beale Street, San Francisco, CA, and is posted on the Internet at: <http://mtc.ca.gov/our-work/fund-invest/tip/tip-revisions-and-amendments>.

The TIP public participation process also serves to satisfy the public involvement requirements of the FTA annual Program of Projects, for applicable funds.

This amendment will be transmitted to Caltrans after the Commission approval; after its review, Caltrans will forward the amendment to FTA/FHWA as required for final federal agency review and approval.

Issues: None.

Recommendation: Refer MTC Resolution No. 4375, Revised to the Commission for approval.

Attachments: Attachment 1, Summary Report of Amended Projects for TIP Amendment 2019-18
MTC Resolution No. 4375, Revised



Alix Bockelman

TIP Revision Summary 2019-18

TIP ID	Sponsor	Project Name	Description of Change	Funding Change (\$)	Funding Change (%)
System: Local Road					
ALA190015	Alameda County	Active and Safe Oakland	Amend a new exempt project into the TIP with \$999K in ATP funds	\$999,000	~%
CC-170050	Concord	Downtown Corridors Bike/Pedestrian Improvements	Update the funding plan to reprogram \$404K in ATP and \$68K in local funds from FY19 PSE to FY20 PSE, reprogram \$85K in ATP and \$15K in local funds from FY19 ROW to FY20 ROW and add \$3.6M in FY23 CON RTP-LRP	\$3,622,000	496.8%
SCL170041	Palo Alto	Palo Alto Street Resurfacing	Update the funding plan to add \$1.5M in FY20 Local CON funds	\$1,511,000	128.2%
SCL190028	San Jose	Willow-Keyes Complete Streets Improvements	Amend a new exempt project into the TIP with \$12.9M in ATP and \$6.7M in Local funds	\$19,649,000	~%
SCL190029	San Jose	Better Bikeway San Jose - San Fernando Street	Amend a new exempt project into the TIP with \$10M in ATP and \$1.9M in Local funds	\$11,919,000	~%
SF-190005	San Francisco Municipal Transport Agency (SFMTA)	6th Street Pedestrian Safety Improvements	Amend a new exempt project into the TIP with \$6M in ATP, \$10.4M in Sales tax, and \$3.3M in local funds	\$19,761,000	~%
VAR170012	Caltrans	GL: Bridge Rehab/Recon. - Local Hwy Bridge Program	Update the funding plan to add \$14.1M in FY19 CON HBP and \$9.4M in FY19 CON AC-Local funds	\$23,465,869	3.2%
System: Public Lands/Trails					
ALA190016	Albany	Ohlone Greenway Trail Safety Improvements	Amend a new exempt project into the TIP with \$410K in ATP funds, \$75K in Sales Tax and \$180K in TDA funds	\$665,000	~%
System: Transit					
SON090002	Sonoma Marin Area Rail Transit (SMART)	Sonoma Marin Area Rail Corridor	Update the funding plan to add \$21M in FY19 CON TIRCP, \$1.8M in FY20 ROW ATP, and \$10.8M in FY21 CON ATP funds	\$33,574,000	5.6%
Total Funding Change:				\$115,165,869	

TIP Revision Summary

	Federal	State	Regional	Local	Total	2019 TIP Only
Current:	\$664,519,239	\$94,258,576	\$58,999,025	\$530,738,581	\$1,348,515,421	\$260,313,779
Proposed:	\$678,630,843	\$158,159,576	\$58,999,025	\$567,891,846	\$1,463,681,290	\$352,703,648
Delta:	\$14,111,604	\$63,901,000	\$0	\$37,153,265	\$115,165,869	\$92,389,869

Date: September 26, 2018
 W.I.: 1512
 Referred by: PAC
 Revised: 12/19/18-C 01/23/19-C
 02/27/19-C 03/27/19-C
 04/24/19-C 05/22/19-C
 06/26/19-C 07/24/19-C

ABSTRACT

Resolution No. 4375, Revised

This resolution adopts the 2019 Transportation Improvement Program (TIP) for the San Francisco Bay Area.

Further discussion of the 2019 TIP adoption is contained in the Programming & Allocations Committee summary sheets dated September 12, 2018, December 12, 2018, January 9, 2019, February 13, 2019, March 6, 2019, April 14, 2019, May 8, 2019, June 12, 2019, and July 10, 2019. This resolution was revised as outlined below. Additional information on each revision is included in attachment B: 'Revisions to the 2019 TIP'.

2019 TIP Revisions

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
2019-01	Admin. Mod.	52	\$36,741,847	12/19/2018	12/19/2018
2019-02	Admin. Mod.	12	\$7,296,176	2/1/2019	2/1/2019
2019-03	Amendment	40	\$155,338,096	12/19/2018	2/5/2019
2019-04	Admin. Mod.	10	\$5,506,382	3/5/2019	3/5/2019
2019-05	Amendment	3	\$22,503,964	1/23/2019	2/19/2019
2019-06	Amendment	2	\$15,814,128	1/23/2019	2/15/2019
2019-07	Admin. Mod.	19	\$11,050,370	3/28/2019	3/28/2019
2019-08	Amendment	12	-\$25,513,326	2/27/2019	4/3/2019
2019-09	Admin. Mod.	7	\$1,547,102	5/6/2019	5/6/2019
2019-10	Amendment	4	-\$18,724,000	3/27/2019	4/24/2019
2019-11	Admin. Mod.	46	-\$10,610,187	6/6/2019	6/6/2019
2019-12	Amendment	4	\$13,699,781	4/24/2019	Pending
2019-13	Admin. Mod.	Pending	Pending	Pending	Pending
2019-14	Amendment	25	\$801,633,123	5/22/2019	Pending

ABSTRACT

MTC Resolution No. 4375, Revised

Page 2

Revision #	Revision Type	# of Projects	Net Funding Change (\$)	MTC Approval Date	Final Approval Date
2019-15	Admin. Mod.	Pending	Pending	Pending	Pending
2019-16	Amendment	8	\$21,335,503	6/26/2019	Pending
2019-17	Admin. Mod.	Pending	Pending	Pending	Pending
2019-18	Amendment	9	\$115,165,869	7/24/2019	Pending
Net Funding Change		253	\$1,152,784,828		
Absolute Funding Change			\$1,262,479,854		

Date: September 26, 2018
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2019 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4375

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

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, Section 65074 of the California Government Code requires all state MPOs to update their TIPS concurrently every even year; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757), which establish the Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.326(k)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.326) require that the TIP be designed such that once implemented, it makes progress toward achieving the performance targets established under §450.306(d) and that the TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.332(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and

WHEREAS, MTC has found in MTC Resolution No. 4374 that the 2019 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM_{2.5} SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2019 TIP, attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2019 TIP in cooperation with the Bay Area County Transportation Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies and interested stakeholders, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and U.S. EPA; and, be it further

RESOLVED, that the 2019 TIP was developed in accordance with the region's Public Participation Plan and consultation process (MTC Resolution No. 4174, Revised) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2019 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2019 TIP is financially constrained, by year, to reasonable estimates of available federal, state and local transportation funds; and, be it further

RESOLVED, that the 2019 TIP makes progress toward achieving the performance targets established under §450.306(d); and, be it further

RESOLVED, that MTC approves the EPSP developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by federal regulations (23 CFR 450.332(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public participation process conducted for the 2019 TIP satisfies the public involvement requirements of the FTA annual Program of Projects; and, be it further

RESOLVED, that the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or provisions in federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757); and, be it further

RESOLVED, that MTC finds that the 2019 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and to the emissions test for the national fine particulate matter standard (MTC Resolution No. 4374); and, be it further

RESOLVED, that the projects and programs included in the 2019 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further


RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2019 TIP are consistent with the Amended Plan Bay Area 2040 (the 2040 Regional Transportation Plan including the Sustainable Communities Strategy for the San Francisco Bay Area) and, be it further

RESOLVED, that revisions to the 2019 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in the public participation plan and in MTC Resolution No. 4375, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by Caltrans, and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that a copy of this resolution shall be forwarded to FHWA, the FTA, U.S. EPA, Caltrans, the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



Jake Mackenzie, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
San Francisco, California, on September 26, 2018.

Date: September 26, 2018
W.I.: 1512
Referred by: PAC
Revised: 12/19/18-C 01/23/19-C
02/27/19-C 03/27/19-C
04/24/19-C 05/22/19-C
06/26/19-C

Attachment B
Resolution No. 4375, Revised
Page 1 of 7

Revisions to the 2019 TIP

Revisions to the 2019 Transportation Improvement Program (TIP) will be included as they are approved.

Revision 2019-01 is an administrative modification that revises 52 projects with a net funding increase of approximately \$36.7 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on December 19, 2018. Among other changes, this revision:

- Updates the funding plans of 36 Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect obligations and programming decisions;
- Updates the funding plan of the Santa Clara Valley Transportation Authority's US-101 Express Lanes in Santa Clara County project to reflect the programming of \$3.3 million in repurposed earmark funds;
- Updates the funding plan and back-up listing of the Caltrans-managed local Highway Bridge Program (HBP) grouped listing and updates the funding plans of eight individually listed HBP-funded projects to reflect the latest information from Caltrans; and
- Updates the funding plan and back-up listing of the State Highway Operation and Protection Program (SHOPP) Collision Reduction grouped listing to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$3.3 million in repurposed earmark funds, \$17.4 million in HBP funds and \$5.3 million in SHOPP funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-01, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-02 is an administrative modification that revises 12 projects with a net funding increase of approximately \$7.3 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on February 1, 2019. Among other changes, this revision:

- Updates the funding plans of six Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded

projects, one Road Repair and Accountability Act (SB1) and State Transportation Improvement Program funded project, and one High Priority Program earmark funded project to reflect the latest programming decisions; and

- Updates the funding plan and back-up listing of the State Highway Operation and Protection Program (SHOPP) Collision Reduction grouped listing to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$421,807 in High Priority Program earmark funds, \$207,000 in SB1 funds and \$6 million in SHOPP funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-02, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-03 is an amendment that revises 40 projects with a net funding increase of approximately \$155 million. The revision was referred by the Programming and Allocations Committee on December 12, 2018, and approved by the MTC Commission on December 19, 2018. Caltrans approval was received on January 15, 2019, and final federal approval was received on February 5, 2019. Among other changes, this revision:

- Updates the funding plans of six Highway Bridge Program funded projects to reflect the latest programming information from Caltrans;
- Adds two new exempt projects and one new non-exempt not regionally significant project, deletes an existing exempt project and updates the funding plans of 14 additional projects to reflect Surface Transportation Block Grant / Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) programming decisions and obligations;
- Adds one new grouped listing and updates the funding plans and back up listings of three existing grouped listings to reflect the latest information from Caltrans;
- Adds three additional new exempt projects to the TIP; and
- Carries forward two exempt projects and two grouped listings from the 2017 TIP.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-04 is an administrative modification that revises ten projects with a net funding increase of approximately \$5.5 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on March 5, 2019. Among other changes, this revision:

- Updates the funding plans of four Surface Transportation Block Grant Program/ Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect the latest programming decisions, including the exchange of approximately \$16 million in STP/CMAQ and an equal amount of sales tax proceeds between San Francisco's Better Market Street project and SFMTA's New Central Subway project;
- Also updates the funding plan of the Better Market Street project to reflect the award of \$15 million in Better Using Investments to Leverage Development (BUILD) grant funds;

- Combines the two Innovative Deployments to Enhance Arterials program listings into a single listing;
- Splits out near-term, High Priority Program-funded improvements from Alameda County's Vasco Road Safety Improvements project; and
- Updates the funding plan and back-up listing of the Lifeline Transportation Program – Cycle 5 grouped listing to reflect the programming of additional Federal Transit Administration Section 5307 funds and State Transit Assistance program funds.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$15 million in BUILD funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-04, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-05 is an amendment that revises three projects with a net funding increase of approximately \$22.5 million. The revision was referred by the Programming and Allocations Committee on January 9, 2019, and approved by the MTC Commission on January 23, 2019. Caltrans was received on February 6, 2019, and final federal approval was received on February 19, 2019. Among other changes, this revision updates the funding plan and back-up listing of the Caltrans managed Highway Safety Improvement Program grouped listing. Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-06 is an amendment that revises two projects with a net funding increase of approximately \$15.8 million. The revision was proposed subsequent to the Programming and Allocations Committee review of Revision 2019-05 on January 9, 2019 and was approved by the MTC Commission on January 23, 2019. Caltrans approval was received on February 6, 2019, and final federal approval was received on February 15, 2019. Among other changes, this revision:

- Adds one Federal Transit Administration Bus and Bus Facilities Program and Low or No Emission Vehicle Program funded Fairfield and Suisun Transit project to the TIP; and
- Adds the San Joaquin Regional Rail Commission's Oakley Station Platform project to reflect the award of Transit and Intercity Rail Capital Program funds.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-07 is an administrative modification that revises 19 projects with a net funding increase of approximately \$11 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on March 28, 2019. Among other changes, this revision:

- Updates the funding plan of the Golden Gate Bridge Suicide Deterrent Safety Barrier project to reflect the programming of approximately \$45.2 million in Federal Highway Infrastructure Program (FHIP) funds in lieu of Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) Cycle 1 and One Bay Area Grant 2 (OBAG2) funds;

- Updates the funding plans of nine other STP/CMAQ funded projects and one High Priority Program Earmark (HPP) funded project to reflect planned obligations;
- Updates the funding plan of San Rafael's Francisco Blvd West Multi-Use Pathway project to reflect the programming of Regional Measure 2 (RM2) and Transportation Fund for Clean Air (TFCA) funds; and
- Updates the funding plans and back-up listings of the State Highway Operation and Protection Program (SHOPP) Collision Reduction, Local Highway Bridge Program (HBP) and FTA Section 5311 Fiscal Years 2018/19 and 2019/20 grouped listings to reflect the latest information from Caltrans.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$45.2 million in FHIP funds, \$2.4 million in HPP funds, \$248,400 in TFCA funds, \$6.3 million in SHOPP funds, and \$283,186 in FTA Section 5311f funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-07, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-08 is an amendment that revises 12 projects with a net funding decrease of approximately \$25.5 million. The revision was referred by the Programming and Allocations Committee on February 13, 2019, and approved by the MTC Commission on February 27, 2019. Caltrans approval was received on March 13, 2019, and final federal approval was received on April 3, 2019. Among other changes, this revision:

- Adds one new exempt project and updates the funding plan of one other project to reflect the award of Federal Transit Administration Bus and Bus Facilities Infrastructure Investment Program discretionary grants;
- Updates the funding plan of the Solano Transportation Authority's I-80/I-680/SR-12 Interchange Improvements project to reflect the award of Trade Corridor Enhancement Program funds;
- Updates the funding plans of two Altamont Corridor Express projects to reflect the award of Transit and Intercity Rail Capital Program funds;
- Archives three implemented projects; and
- Deletes three projects that will not move forward as federal projects.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-09 is an administrative modification that revises seven projects with a net funding increase of approximately \$1.5 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on May 6, 2019. Among other changes, this revision:

- Updates the funding plan of three Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect the latest project schedules; and
- Updates the funding plans of two Road Repair and Accountability Act (SB1) funded projects to reflect the latest programming decisions.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$1.77 million in SB1 funds and \$165,452 in CalRecycle funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-09, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-10 is an amendment that revises four projects with a net funding decrease of approximately \$18.7 million. The revision was referred by the Programming and Allocations Committee on March 6, 2019, and approved by the MTC Commission on March 27, 2019. Caltrans approval was received on April 5, 2019, and final federal approval was received on April 24, 2019. Among other changes, this revision:

- Amends one new exempt project into the TIP; and
- Archives one project.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-11 is an administrative modification that revises seven projects with a net funding decrease of approximately \$10.6 million. The revision was approved into the Federal-Statewide TIP by the Deputy Executive Director on June 6, 2019. Among other changes, this revision:

- Updates the funding plans of 36 Transit Capital Priorities Program funded projects to reflect the latest programming decisions;
- Updates the funding plans of five Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funded projects to reflect the latest project schedules;
- Updates the funding plan of the Contra Costa Transportation Authority's New State Highway (SR-239) Study project to reflect the programming of unexpended High Priority Program and Transportation Improvement earmark funds; and
- Updates the Water Emergency Transportation Authority's San Francisco Ferry Terminal/Berthing Facilities project to reflect the programming of FHWA Ferry Boat Program (FBP) funds.

The administrative modification is financially constrained by year and MTC relies on the State's programming capacity in the amount of \$597,635 in High Priority Program earmark funds, \$4.4 million in Transportation Improvement earmark funds, \$877,388 in FBP funds, \$311,764 in Low Carbon Transit Operations program funds, \$976,000 in Proposition 1B funds, and \$216,827 in SB1 funds to reflect the net change in funding over the four years of the TIP. MTC's 2019 TIP, as revised with Revision No. 2019-11, remains in conformity with the applicable State Implementation Plan (SIP) for air quality and the revision does not interfere with the timely implementation of the Transportation Control Measures contained in the SIP.

Revision 2019-12 is an amendment that revises four projects with a net funding increase of approximately \$13.7 million. The revision was referred by the Programming and Allocations Committee on April 10, 2019, and approved by the MTC Commission on April 24, 2019.

Caltrans approval was received on May 8, 2019, and final federal approval is expected in mid-June 2019. Among other changes, this revision:

- Reprograms Congestion Mitigation and Air Quality Improvement (CMAQ) program funds available through the Transit Performance Initiative – Capital Investment Program from VTA's Santa Clara Pocket Track Light Rail Interlocking project to their Light Rail Track Crossovers and Switches project and deletes the interlocking project; and
- Updates the funding plan and back-up listing for the State Highway Operations and Protection Program (SHOPP) Emergency Response program to reflect the latest information from Caltrans including the addition of \$14.6 million in SHOPP funds.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-13 is a pending administrative modification.

Revision 2019-14 is an amendment that revises 25 projects with a net funding increase of approximately \$802 million. The revision was referred by the Programming and Allocations Committee on May 8, 2019, and approved by the MTC Commission on May 22, 2019. Caltrans approval is expected in late June 2019, and final federal approval is expected in mid-July 2019. Most notable from a dollar standpoint is the addition of replacement and expansion vehicles as part of SFMTA's Light Rail Vehicle Procurement. Among other changes, this revision adds eight new exempt projects to the TIP, updates the funding plans of 13 existing projects and deletes three projects from the TIP to reflect changes in the Transit Capital Priorities (TCP) Program. Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-15 is a pending administrative modification.

Revision 2019-16 is an amendment that revises eight projects with a net funding increase of approximately \$21.3 million. The revision was referred by the Programming and Allocations Committee on June 12, 2019, and approved by the MTC Commission on June 26, 2019. Caltrans approval is expected in late July 2019, and final federal approval is expected in mid-August 2019. Among other changes, this revision:

- Updates the funding plan and back-up listing of the State Highway Operations and Protection Program (SHOPP) Collision Reduction program to reflect the latest information from Caltrans including the addition of \$11.7 million in SHOPP funds;
- Archives three projects as they have been completed or all federal funding for the project has been obligated; and
- Adds one new exempt project.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.

Revision 2019-17 is a pending administrative modification.

Revision 2019-18 is an amendment that revises nine projects with a net funding increase of approximately \$115 million. The revision was referred by the Programming and Allocations Committee on July 10, 2019, and approved by the MTC Commission on July 24, 2019. Caltrans approval is expected in late August 2019, and final federal approval is expected in mid-September 2019. Among other changes, this revision:

- Amends four new exempt projects into the TIP and updates one existing project to reflect the recent CTC approval of Regional Active Transportation Program (rATP), Cycle 4;
- Amends San Jose's Better Bikeway San Jose – San Fernando Street project into the TIP to reflect the award of Statewide Competitive ATP funds; and
- Updates the funding plan of the Caltrans managed Highway Bridge Program grouped listing.

Changes made with this revision do not affect the air quality conformity finding or conflict with the financial constraint requirements.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0698 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/3/2019 **In control:** Programming and Allocations Committee

On agenda: 7/10/2019 **Final action:**

Title: Proposed agreement with Mariposa County Local Transportation Commission (MCLTC) for exchange of federal apportionment. A request to authorize an agreement with the MCLTC to exchange roughly \$0.7 million in Congestion Mitigation and Air Quality Improvement (CMAQ) funds in Federal Fiscal Year (FFY) 2018-19 with an equal amount of CMAQ funds in FFY 2019-20.

Sponsors:

Indexes:

Code sections:

Attachments: [6g PAC 2h Mariposa LTC CMAQ Exchange.pdf](#)
[2h Mariposa LTC CMAQ Exchange.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

Proposed agreement with Mariposa County Local Transportation Commission (MCLTC) for exchange of federal apportionment. A request to authorize an agreement with the MCLTC to exchange roughly \$0.7 million in Congestion Mitigation and Air Quality Improvement (CMAQ) funds in Federal Fiscal Year (FFY) 2018-19 with an equal amount of CMAQ funds in FFY 2019-20.

Presenter:

Ross McKeown

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee****July 10, 2019****Agenda Item 2h****Proposed Agreement with Mariposa County Local Transportation Commission
for Exchange of Federal Apportionment**

Subject: A request to authorize the Executive Director to enter into an agreement with the Mariposa County Local Transportation Commission (MCLTC) to exchange roughly \$0.7 million in Congestion Mitigation Air Quality Improvement (CMAQ) funds.

Background: In response to an upcoming federal rescission of unobligated funds, MTC staff received a request from the Mariposa County Local Transportation Commission (MCLTC) to exchange roughly \$0.7 million in CMAQ apportionment.

The Fixing America's Surface Transportation (FAST) Act includes a provision that rescinds a portion of unobligated CMAQ funds as of September 30, 2019. Some regions are unable to use all of their CMAQ apportionment by this date. MTC will have no difficulty in securing (or obligating) all of the regional CMAQ funds to avoid this rescission. There are currently several CMAQ-funded projects ready to be delivered within the region, but are currently on hold due to lack of CMAQ funds in the region.

The Mariposa LTC has a CMAQ balance subject to the September 30, 2019 FHWA rescission. In order to avoid losing this apportionment balance, the Mariposa LTC requests to exchange up to \$0.7 million in current and prior year CMAQ apportionment with MTC, for an equal amount of MTC's CMAQ apportionment to be repaid in FFY 2019-20.

Exchanges such as this benefit the smaller rural counties by avoiding the rescission of their CMAQ balances, while allowing CMAQ projects currently on hold in the MTC region due to a lack of CMAQ funds to be delivered.

It is often difficult for smaller regions to fully utilize their federal funds and deliver projects through the federal-aid process. This exchange allows Mariposa LTC to pool multiple years of federal funding and consolidate into a single larger federal CMAQ project. MTC entered into similar agreements with Kern, Tehama and Tuolumne counties earlier this year.

Caltrans staff has confirmed that this exchange of earlier-year apportionment for later-year apportionment is allowed under Caltrans' Apportionment/ Obligation Authority Management Policy, and has provided the form of letter for such exchanges.

The effective date of the transfer of CMAQ apportionment from MCLTC to MTC is July 24, 2019. The effective date of the transfer of CMAQ apportionment from MTC to MCLTC is October 1, 2019.

Issues:

Provision to Eliminate Risk


The CMAQ funds are subject to rescission by the Federal Highways Administration (FHWA) on September 30, 2019 unless an agreement can be executed between MTC and MLTC and the funds are secured in sufficient time. This exchange will not take place unless the agreement can be executed in time for MTC to secure the funds.

Recommendation:

Refer to the Commission, approval of authorization for the Executive Director or designee to make final minor adjustments and sign a Letter of Understanding with the Mariposa County Local Transportation Commission for exchange of up to a total of \$0.7 million, in CMAQ funds.

Attachment:

Draft Letter of Understanding with Mariposa LTC for Executive Director's signature.



Alix Bockelman



July 24, 2019

Mr. Rihui Zhang, Chief
Division of Local Assistance
Caltrans
P.O. Box 942873
Sacramento, CA 94273-0001

RE: Letter of Understanding between the Mariposa County Local Transportation Commission and the Metropolitan Transportation Commission for federal apportionment exchange.

Dear Mr. Zhang,

This letter constitutes our understanding of an exchange of Congestion Mitigation and Air Quality Improvement (CMAQ) apportionment between the Mariposa County Local Transportation Commission (MCLTC) and the Metropolitan Transportation Commission (MTC).

The MCLTC currently has a balance of CMAQ apportionment subject to the federal rescission on September 30, 2019 under the Fixing America's Surface Transportation (FAST) Act. To avoid the loss of this apportionment balance, the MCLTC requests to exchange its CMAQ fund balance of \$647,898 subject to rescission on September 30, 2019, for an equal amount of CMAQ funds from MTC, to be transferred back on October 1, 2019.

This letter is to formalize the exchange of up to \$647,898 in current and/or prior year CMAQ apportionment from MCLTC effective July 24, 2019, with an equivalent amount of FFY 2019-20 CMAQ apportionment from MTC effective October 1, 2019.

This exchange is contingent upon execution of this Letter of Understanding in time for the MTC to secure the funds prior to the September 30, 2019 federal rescission. Should the Letter of Understanding not be executed in time for the MTC to secure the funds prior to the rescission or if any Caltrans processes or other timely use of funds deadlines are not met that result in the loss of apportionment balance, MTC's apportionment shall not be negatively affected and the Letter of Understanding is null and void.

This Letter of Understanding sets forth that the MTC and the MCLTC intent for the use of the identified CMAQ apportionment, and requests Caltrans to adjust each region's apportionment balance as appropriate. This exchange would benefit MCLTC by preventing the region's loss of federal fund apportionments, while providing MTC with additional capacity to deliver CMAQ projects sooner. We are relying on our understanding that this exchange is allowed per Caltrans' Obligation Authority Management Policy.

This Letter of Understanding will be in effect for a one-time exchange of CMAQ funds through October 1, 2019.

Mr. Ray Zhang

July 24, 2019

Page 2

We appreciate this opportunity to exchange federal fund apportionment and support our transportation partners. If you have questions, please contact Mike Healy, Executive Director MCLTC at (209) 966-5356 or Ross McKeown, MTC's Assistant Director of Programming, at (415) 778-5242.

Sincerely,

Sincerely,

Mike Healy
Executive Director, MCLTC

Therese W. McMillan
Executive Director, MTC

cc: Mark Dvorak, Mariposa County LTC
Ross McKeown, MTC
John Flores, Caltrans, HQ



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0697 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/3/2019 **In control:** Programming and Allocations Committee

On agenda: 7/10/2019 **Final action:**

Title: Federal Earmark Repurposing - Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the Department of Transportation Appropriations Act, 2019.

Sponsors:

Indexes:

Code sections:

Attachments: [6h PAC 2i Federal Earmark Repurposing.pdf](#)
[2i Federal Earmark Repurposing.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:
Federal Earmark Repurposing - Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the Department of Transportation Appropriations Act, 2019.

Presenter:
Mallory Atkinson

Recommended Action:
Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

July 10, 2019

Agenda Item 2i

Federal Earmark Repurposing

Subject: Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the earmark repurposing provision of the Department of Transportation Appropriations Act, 2019.

Background: The Department of Transportation Appropriations Act, 2019 includes a provision that enables States to repurpose earmarks that were appropriated or authorized to be appropriated on or before September 30, 2008 and are completed and closed, or that otherwise have not substantially progressed (less than 10% of the earmark funds have been obligated).

Repurposed funds can be directed to any new or existing project that is eligible to receive Surface Transportation Block Grant Program (STBGP) funds. The project must also be located within 50 miles of the original earmark designation in the State.

This is the fourth consecutive year States have been authorized to repurpose unused earmark balances. To date, nearly \$32 million in unspent earmark balances have been repurposed and put to use on projects in the Bay Area.

Earmarks Available for Repurposing

On June 14, 2019, Caltrans released the list of earmarks that are eligible for repurposing, totaling approximately \$16 million statewide. Within the Bay Area, three earmark balances are currently available for repurposing (Table 1).

Table 1. Earmarks Available for Repurposing

Sponsor	Earmark Description	Current Balance
WETA	Construction of a ferry terminal in the Berkeley/Albany area and construction of ferry vessels to operate between Berkeley/Albany and San Francisco	\$642,346
Solano County	Construct I-80 HOV lanes and interchange in Vallejo	\$26,573
Danville	Design and construction of Camino Tassajara Crown Canyon to East Town	\$111,885
Total		\$780,804

Recommendation for Projects to Receive Repurposed Funds

Caltrans has requested regions to submit a recommended list of projects, if any, to receive repurposed funds (the projects to which the earmark funds will be directed) by August 16, 2019. Staff worked with project sponsors and County Transportation Agencies (CTAs) to verify the status of projects associated with the abovementioned earmarks.

July 10, 2019

Page 2 of 2

In response to the requests from CTAs and sponsors, staff recommends the Commission forward the following earmark balance to Caltrans for repurposing to a new project as identified below (Table 2). Projects in Table 3 are not to be repurposed; funds are to remain committed to the respective projects with the expectation that they can be delivered in the near-term.

Table 2. MTC Earmark Repurposing Recommendation

Sponsor	Earmark Description	Balance Available	MTC Recommendation
Danville	Design and construction of Camino Tassajara Crown Canyon to East Town	\$111,885	Repurpose to new project: Danville, Camino Ramon Improvements Total: \$111,885
Repurposing Recommendation Total:		\$111,885	

Table 3. Remaining Bay Area Earmark Balances - Do Not Repurpose (shown for informational purposes only)

Sponsor	Earmark Description	Balance Available	MTC Recommendation
WETA	Construction of a ferry terminal in the Berkeley/Albany area and construction of ferry vessels to operate between Berkeley/Albany and San Francisco	\$642,346	Do not repurpose; project proceeding and funds will be obligated in the near-term.
Solano County	Construct I-80 HOV lanes and interchange in Vallejo	\$26,573	Do not repurpose; funds will be programmed to Redwood-Fairgrounds Dr. Interchange Imps. and will be obligated in the near-term.

Issues:

Federal regulations require repurposed funds to be fully obligated within three fiscal years of repurposing, or September 30, 2022 for this year's repurposing effort. To reduce the risk of funds being lost to the region, and consistent with MTC's Project Delivery Policy (MTC Resolution No. 3606), Bay Area sponsors are required to fully obligate any repurposed earmark balances one year in advance of federal deadlines.

Additionally, once repurposed onto a new project, the earmark funds cannot be repurposed again.

Recommendation:

Refer for approval to the Commission the recommended project to receive repurposed earmark funds (Table 2 above) and direct staff to submit the recommendation to Caltrans.

Attachments:

None.


Alix Bockelman

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0780 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/13/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee

On agenda: 7/12/2019 **Final action:**

Title: MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Sponsors:

Indexes:

Code sections:

Attachments: [6i Leg 3b Reso-3931 PolicyAdvisoryCouncil Appointment.pdf](#)
[3b MTC Res. No. 3931, rev.pdf](#)

Date	Ver.	Action By	Action	Result
7/12/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:
MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment

Presenter:
Marti Paschal

Recommended Action:
MTC Commission Approval

Attachments:

**Metropolitan Transportation Commission
Legislation Committee**

July 12, 2019

Agenda Item 3b

MTC Resolution No. 3931, Revised — Policy Advisory Council Appointment

Subject: Appointments to the 2017-2021 MTC Policy Advisory Council.

Background: Since appointments to MTC's Policy Advisory Council in October 2017 for a term running through July 2021, several members have resigned. We are bringing a recommendation to fill one of four vacancies this month: for a seat appointed to represent communities of color in San Francisco. We will return to future meetings with recommendations to fill:

1. Two seats representing business interests, serving at-large throughout the region
2. One representing the interests of the senior community/persons with disabilities, from Napa County

MTC Resolution No. 3931, Revised (attached), which created the Policy Advisory Council, specifies that appointments for advisors representing a particular county be made by that county's Commissioners. Commissioners Josefowitz and Ronen have forwarded a recommendation to appoint Daisy Ozim to fill the vacancy to represent Minorities of San Francisco on the Council.

Ms. Ozim has strong ties to low-income and minority communities in San Francisco having worked with the San Francisco Department of Public Health, the San Francisco Unified School District, and various community-based organizations in her position as Director of Resilient Wellness, a health education and service system designed to end cycles of multi-generational trauma in communities of color. She has also worked with the San Francisco Department of Children, Youth and Their Families, the San Francisco Office of Economic and Workforce Development, and multiple community groups in her former position as Director of Community Engagement for Transitional Age Youth San Francisco (TAYSF).

Staff will work with appropriate Commissioners to forward recommendations at a future meeting to fill the remaining vacancies, publicizing the opportunity as appropriate.

Issues: None.

Recommendation: Staff requests the Legislation Committee recommend the appointment of Daisy Ozim to serve the remainder of the currently vacant term on the Policy Advisory Council (through July 2021), and referral of Resolution 3931, Revised, to the Commission for approval.

Attachments: Attachment A: MTC Resolution No. 3931, Revised


Therese W. McMillan

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
7/24/19-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.

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

Attachment B
Resolution No. 3931
Page 1 of 1

**Metropolitan Transportation Commission
Policy Advisory Council
Term: November 2017 – July 2021**

Advisor Name	Representing	County	Appointing Commissioner(s)
Cathleen Baker	Low-Income/Environmental Justice	Napa	Pedroza
Jim Blacksten	Disabled	San Francisco	Josefowitz and Kim
Richard Burnett	Disabled	Solano	Spering
Carlos Castellanos	Low-Income/Environmental Justice	Alameda	Dutra-Vernaci, Haggerty and Schaaf
Rick Coates	Senior	Sonoma	Mackenzie
Abigail Cochran	Disabled	Alameda	Dutra-Vernaci, Haggerty and Schaaf
Anne Olivia Eldred	Environment	Alameda	Chair Haggerty and Vice Chair Pedroza
Veda Florez	Minority	Marin	Connolly
Rich Hedges	Senior	San Mateo	Aquirre, Slocum
Michelle R. Hernandez	Disabled	Contra Costa	Glover, Worth
Wendi Kallins	Environment	Marin	Chair Mackenzie and Vice Chair Haggerty
Randi Kinman	Low-Income/Environmental Justice	Santa Clara	Bruins, Cortese, Liccardo
Anna Lee	Environment	Alameda	Chair Mackenzie and Vice Chair Haggerty
Adina Levin	Environment	San Mateo	Chair Mackenzie and Vice Chair Haggerty
Michael Lopez	Senior	Santa Clara	Bruins, Cortese, Liccardo
Marc Madden	Senior	Marin	Connolly
Adrian Mendoza	Minority	Sonoma	Mackenzie
Rahmon Momoh	Minority	Contra Costa	Glover, Worth
Cynthia Murray	Economy	Sonoma	Chair Mackenzie and Vice Chair Haggerty
Daisy Ozim	Minority	San Francisco	Josefowitz and Ronen
Daniel Saver	Low-Income/Environmental Justice	San Mateo	Aquirre, Slocum
Benjamin Schweng	Environment	Alameda	Chair Mackenzie and Vice Chair Haggerty
K. Patrice Williams	Minority	Solano	Spering
Patrick Wolff	Economy	San Francisco	Chair Mackenzie and Vice Chair Haggerty

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

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
Joanne Busenbark	September 2013 – September 2015	Equity	Sudhir Chaudhary, Equity	October 26, 2016

Former Advisor	Time Served	Representing	Replaced By	Replaced On
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 Kÿ-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	Minority	Daisy Ozim, Minority	July 24, 2019
Matt Regan	October 2017 – July 2018	Economy		
Sudhir Chaudhary	October 2017 – March 2019	Senior		
Teddy Kÿ-Nam Miller	October 2017 – July 2019	Economy		



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0677 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 5/31/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution No. 3664, Revised. Allocation of \$7 million in Regional Measure 2 (RM2) funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

A request for an allocation of \$7 million in RM2 funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

Sponsors:

Indexes:

Code sections:

Attachments: [7a PAC 3a Reso-3664 Dublin BART Parking Garagex.pdf](#)
[3a Reso-3664 Dublin BART Parking Garagex.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 3664, Revised. Allocation of \$7 million in Regional Measure 2 (RM2) funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

A request for an allocation of \$7 million in RM2 funds to the Alameda County Transportation Commission for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

Presenter:

Craig Bosman

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee****July 10, 2019****Agenda Item 3a****MTC Resolution No. 3664, Revised**

Subject: A request for an allocation of \$7 million in RM2 funds to the Alameda County Transportation Commission (Alameda CTC) for construction of the Dublin Transit Center Parking Garage at the Dublin BART Station.

Background: The \$65 million I-580 Tri-Valley Rapid Corridor Improvements project, identified as capital project number 32 under RM2, currently consists of two subprojects for which MTC has already allocated funds: project 32.1, Eastbound I-580 Improvements (eastbound HOV lane, allocated \$36 million in RM2 funds), and project 32.2, I-580/I-680 Interchange Modifications and WB I-580 Improvements (HOV connectors between I-580 and I-680, and an I-580 WB HOV lane, allocated \$17 million in RM2 funds).

This item proposes to add a third subproject, 32.3, the Dublin Transit Center Parking Garage project, and allocate \$7 million in RM2 funds for the construction phase of the project.

The Dublin Transit Center Parking Garage Project, adjacent to the BART Dublin/Pleasanton Parking Garage, would consist of a multi-level parking structure that will accommodate 537 parking spaces at maximum, and will feature elements such as electric vehicle charging stations and preferred parking for vanpools to maximize utilization. The project sponsor is the Alameda County Transportation Commission (Alameda CTC), and the project will be implemented by the Alameda County General Services Agency (GSA). Environmental documents were recently certified by Alameda County. The project will be design/build, with construction expected to begin in Spring 2020 and garage opening anticipated for mid-2021.

The total cost of the project is estimated to be \$34 million. The project, via LAVTA, was awarded a California Transit and Intercity Rail Capital Program (TIRCP) grant of \$20 million in 2018. At its July 2018 and June 2019 meetings, Alameda CTC programmed a total of \$7 million in funds for the project from Vehicle Registration Fee Transit Funds. The remaining \$7 million is proposed to be allocated from RM2.

Because of the nature of the garage – being constructed adjacent to a BART station by a different public agency, the following conditions are proposed for the Dublin/Pleasanton Parking Garage project allocation in order to ensure a more seamless transportation customer experience. The Alameda CTC shall ensure:

1. Garage design and construction includes safe and direct pedestrian access to Iron Horse Parkway and Campus Drive
2. Garage includes wayfinding for access to BART station and bus connections
3. Transit users are prioritized for access to garage
4. Garage hours of operation will be, at minimum, during operating hours of BART Dublin/Pleasanton station and consideration of any other future rail service at station.

Staff from MTC, ACTC, LAVTA, BART, and Alameda GSA have been working together to develop these proposed conditions.

Issues:

Additional issues identified for the Dublin Transit Center Parking Garage, but not imposed as conditions, are as follows:

1. The Tri-Valley BART stations (Dublin/Pleasanton and West Dublin/Pleasanton) currently have long waitlists for monthly parking permits, with over 3,800 at the Dublin/Pleasanton Station alone. BART and Alameda County may discuss options for consideration of these waitlists regarding any monthly permit options.
2. In an effort to ensure clarity for transit users, MTC encourages Alameda County to create clear signage for patrons regarding transit user priority, payment, garage rules, and hours of operation. Design, signage, and wayfinding should be coordinated with BART/regional standards, transit operators, and the City of Dublin to ensure seamless integration with the BART station, bus connections, and consistency with the surrounding urban context.
3. Similarly, differences in payment mechanisms, price, and operations compared to BART parking should be clearly communicated to customers. Alameda County is encouraged to explore potential integration with Clipper and/or BART payments.
4. MTC/511 will add the garage to local transit user maps, and BART is encouraged to add garage information to the Dublin/Pleasanton station section of its website and other materials. Alameda County and transit agencies are also encouraged to coordinate communication about any operational and/or pricing changes.

Recommendation: Refer MTC Resolution No. 3664, Revised, to the Commission for approval.

Attachments: MTC Resolution No. 3664, Revised.



Alix Bockelman

Date: October 27, 2004
W.I.: 1255
Referred by: PAC
Revised: 03/23/05-DA 07/26/06-C
04/25/07-C 09/28/07-DA
12/19/07-DA 04/23/08-C
08/27/08-DA 09/24/08-C
11/26/08-C 01/28/09-DA
09/23/09-DA 02/24/10-C
07/28/10-C 11/16/11-DA
02/22/12-DA 03/28/12-DA
06/27/12-DA 10/24/12-C
10/23/13-C 07/24/19-C

ABSTRACT

MTC Resolution No. 3664, Revised

This resolution approves the allocation of Regional Measure 2 funds for the I-580 Tri-Valley Rapid Corridor Improvements project sponsored and implemented by the Alameda County Congestion Management Agency.

This resolution includes the following attachments:

- Attachment A - Allocation Summary Sheet
- Attachment B - Project Specific Conditions for Allocation Approval
- Attachment C - MTC staff's review of the Alameda County Congestion Management Agency's Initial Project Report (IPR) for this project
- Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised through Executive Director Delegated Authority on March 23, 2005 to give ACCMA the flexibility to invoice MTC as frequently as monthly for expenses incurred on this project.

This resolution was revised through Commission action on July 26, 2006 to include additional allocations for Project 32.1, Eastbound I-580 Improvements for \$11.5 million in new RM2 allocations, and Project 32.2, I-580/I-680 Interchange Modifications and Westbound I-580 Improvements for \$1.7 million in new RM2 allocations.

This resolution was revised through Commission action on April 25, 2007 to include supplemental allocations for Project 32.1, Eastbound I-580 Improvements for \$3.8 million in

ABSTRACT

MTC Resolution No. 3664, Revised

Page 2

new RM2 allocations, and for Project 32.2, Westbound I-580 Improvements for \$10 million in new RM2 allocations.

This resolution was revised through Delegated Authority on September 28, 2007 to provide a \$500,000 supplemental preliminary engineering allocation for Project 32.1, Eastbound I-580 Improvements.

This resolution was revised through Delegated Authority on December 19, 2007 to allocate \$500,000 in final design funds for Project 32.1, Eastbound I-580 HOV Improvements.

This resolution was revised through Commission Action on April 23, 2008 to allocate \$9.182 million in construction funds for Project 32.1, Eastbound I-580 HOV Improvements, in order to backfill TCRP funds, and to add a condition that any TCRP repayments for this amount shall be returned to MTC. This action also rescinds \$800,000 from an allocation for Environmental and reallocates the same amount for environmental under Project 32.2.

This resolution was revised through Delegated Authority on August 27, 2008 to allocate \$100,000 in environmental and preliminary engineering funds for Project 32.1, Eastbound I-580 HOV Improvements, for High-Occupancy Toll accommodation on the corridor.

This resolution was revised through Commission Action on September 24, 2008 to allocate \$400,000 in environmental phase funds for Project 32.1, Eastbound I-580 HOV Improvements, for corridor management activities, and \$900,000 in environmental and preliminary engineering funds for Project 32.1, Eastbound I-580 HOV Improvements, for High-Occupancy Toll accommodation on the corridor.

This resolution was revised through Commission Action on November 26, 2008 to allocate \$500,000 in environmental and preliminary engineering funds for Project 32.1, Eastbound I-580 HOV Improvements, for High-Occupancy Toll accommodation on the corridor.

This resolution was revised through Delegated Authority on January 28, 2009 to allocate \$700,000 in environmental and preliminary engineering funds for Project 32.1, Eastbound I-580 HOV Improvements, for the supplemental auxiliary lanes on I-580.

ABSTRACT

MTC Resolution No. 3664, Revised

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This resolution was revised through Delegated Authority on September 23, 2009 to rescind allocation of \$6,000,000 from the construction of Project 32.1d, Eastbound I-580 HOV Improvements, and to allocate \$200,000 in environmental and preliminary engineering funds for Project 32.2, Westbound I-580 HOV Improvements.

This resolution was revised through Commission Action on February 24, 2010 to allocate approximately \$1.7 million for the final design phase and \$2.6 million for the right of way phase for Project 32.2a, I-580 Westbound HOV Lane Improvements, and allocate \$300,000 for the environmental and preliminary engineering phase for Project 32.1d, I-580 Eastbound HOV Lane Improvements (Auxiliary Lanes).

This resolution was revised through Commission Action on July 28, 2010 to allocate about \$1.3 million for the environmental mitigation of the I-580 HOV corridor (Project 32.1e).

This resolution was revised through Delegated Authority on November 16, 2011 to rescind \$846,246.81 from the construction allocation of Project 32.1d, I-580 Eastbound HOV Lane Improvements (allocation number 08366416), due to payback from Traffic Congestion Relief Program reimbursement from the State of California.

This resolution was revised through Delegated Authority on February 22, 2012 to allocate \$800,000 for the final design and \$200,000 for right-of-way for Project 32.1d, I-580 Eastbound HOV Lane Improvements.

This resolution was revised through Delegated Authority on March 28, 2012 to allocate \$200,000 in RM2 funds for the final design phase of Project 32.1d, I-580 Eastbound HOV Lane Improvements.

This resolution was revised through Delegated Authority on June 27, 2012 to allocate \$585,000 in RM2 funds for the environmental phase of Project 32.1e, I-580 HOV Corridor Environmental Mitigation.

This resolution was revised through Commission Action on October 24, 2012 to allocate \$335,279 for the final design phase and \$3,315,000 for the construction phase of Project 32.1d, I-580 Eastbound HOV Lane Improvements (Auxiliary Lanes).

ABSTRACT

MTC Resolution No. 3664, Revised

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This resolution was revised through Commission Action on October 23, 2013 to rescind allocation of \$1.5 million of previously allocated RM2 funds from Projects 32.1 and 32.2 due to cost savings at project close out, and to allocate \$4 million in RM2 funds for the construction phase of Project 32.1f, I-580 HOV Improvements for High-Occupancy Toll accommodation on the corridor.

This resolution was revised through Commission Action on July 24, 2019 to allocate \$7 million in RM2 funds for the construction phase of project 32.3, Dublin Transit Center Parking Garage Project.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated October 8, 2004, July 12, 2006, April 11, 2007, and December 10, 2008, and the summary sheet to the Programming and Allocations Committee dated April 9, 2008, July 9, 2008, September 10, 2008, November 12, 2008, February 10, 2010, July 14, 2010, October 10, 2012, October 9, 2013, and July 10, 2019.

Date: October 27, 2004
W.I.: 1255
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 funds for the I-580 Tri-Valley Rapid Transit Corridor Improvements Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3664

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

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

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

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

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

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

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

WHEREAS, the Alameda County Congestion Management Agency has submitted a request for the allocation of RM 2 funds for the I-580 Tri-Valley Rapid Corridor Improvements project; and

WHEREAS, I-580 Tri-Valley Rapid Corridor Improvements project is identified as capital project number 32 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, the Alameda County Congestion Management Agency has submitted an Initial Project Report (“IPR”), as required pursuant to Streets and Highway Code Section 30914(e), to MTC for review and approval; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the Alameda County Congestion Management Agency is requesting RM2 funding and the reimbursement schedule and amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM2 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff’s review of the Alameda County Congestion Management Agency’s Initial Project Report (IPR) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM2 funds and complementary funding for the deliverable/useable RM2 project segment; now, therefore be it

RESOLVED, that MTC approves MTC staff’s review of the Alameda County Congestion Management Agency’s IPR for this project as set forth in Attachment C; and be it further

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

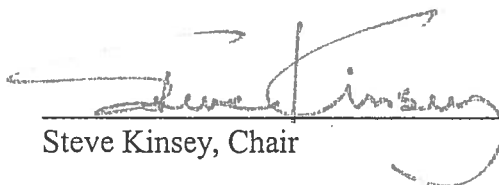
RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of the complementary funding as set forth in Attachment D; and be it further

RESOLVED, that reimbursement of RM2 funds as set forth in Attachment A is subject to the availability of RM2 funding; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION


Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on October 27, 2004.

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Dublin Transit Center Parking Garage Project
Sponsor: Alameda County Transportation Commission
Project Number: 32.3

Allocation No. 32.3						
Activities to be funded with Allocation #1:						
This allocation will fund the construction of the Dublin Transit Center Parking Garage.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
20366435	24-Jul-19	\$ 7,000,000	CON	FY 2019-20	\$	7,000,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: Dublin Transit Center Parking Garage Project
Sponsor: Alameda County Transportation Commission
Project Number: 32.3

The allocation and reimbursement of RM2 funds for the above project are conditioned upon the following. Alameda CTC shall ensure that:

1. Garage design and construction includes safe and direct pedestrian access to Iron Horse Parkway and Campus Drive.
2. Garage includes wayfinding for access to BART station and bus connections.
3. Transit users are prioritized for access to garage.
4. Garage hours of operation will be, at minimum, during operating hours of BART Dublin/Pleasanton station and any other future rail service at station.

RM2 Project Number: 32.3
Dublin Transit Center Parking Garage Project

Lead Sponsor Alameda County Transportation Commission	Other Sponsors(s) None	Implementing Agency (if applicable) Alameda County Transportation Commission
Legislated Project Description Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses		
RM2 Legislated Funding (in \$1,000) Total Overall Funding: \$65000		Total Estimated Project Cost (in \$1,000) Total Overall Cost: \$366,500 (entire project)
Project Purpose and Description The Dublin Transit Center Parking Garage project consists of a multi-level parking structure that will accommodate 537 parking spaces at maximum and will feature elements such as electric vehicle charging stations and preferred parking for vanpools to maximize utilization. The project will be implemented by the Alameda County General Services Agency (GSA) on a 2.46 acre parcel of Alameda county owned land that is adjacent to the Dublin/Pleasanton BART station and the I-580 corridor. The project will significantly reduce traffic congestion, integrate multiple local and regional transit lines, increase transit access to a number of Bay Area and regional transit agencies, and further reduce Greenhouse Gas (GHG) emissions throughout the area.		
Funding Description Committed Funds: LAVTA and the Alameda County GSA have already secured a \$20 million TIRCP grant for this project. The Alameda CTC Commission approved programming \$7 million in Vehicle Registration Fee (VRF) funds. RM2 will provide the remaining \$7 million. Uncommitted Funds: Operating Capacity: Alameda County GSA		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Final Environmental Document and Preliminary Eng.	10/2018	06/2019	\$600
2	Final Design - Plans, Specifications and Estimates	07/2019	06/2020	\$2,600
3	Right-of-Way	04/2020	07/2020	\$400
4	Construction	04/2020	06/2021	\$30,400
Total:				\$34,000

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	Dublin Transit Center Parking Garage Project					Project No. 32.3				
Lead Sponsor	Alameda County Transportation Commission									

Fund Source	Phase	Prior	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Future	Total
Committed										
TIRCP	Env/PE				600					600
TIRCP	PS&E				2,600					2,600
TIRCP	R/W				400					400
TIRCP	Construction					16,400				16,400
Alameda CTC VRF	Construction				7,000					7,000
RM2	Construction					7,000				7,000
										0
Total:		0	0	0	10,600	23,400	0	0	0	34,000
Uncommitted										
Total:		0	0	0	0	0	0	0	0	0
Total Project Committed and Uncommitted										
		Prior	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Future	Total
Total:		0	0	0	10,600	23,400	0	0	0	34,000

REGIONAL MEASURE 2 PROGRAM Project Cash Flow Plan

Project Title: Dublin Transit Center Parking Garage Project
Sponsor: Alameda County Transportation Commission
RM2 Project Number: 32.3

	PRIOR	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23 +	TOTAL
RM2 Funds Total	-	-	1,000,000	6,000,000	-	-	7,000,000
Environmental (ENV)	0	600,000	0	0	0	0	600,000
TIRCP		600,000					600,000
Final Design (PS&E)	0	0	2,600,000	0	0	0	2,600,000
TIRCP			2,600,000				2,600,000
Right of Way	0	0	300,000	100,000	0	0	400,000
TIRCP			300,000	100,000			400,000
Construction	0	0	4,340,000	26,060,000	0	0	30,400,000
TIRCP			2,340,000	14,060,000			16,400,000
VRF			1,000,000	6,000,000			7,000,000
RM2			1,000,000	6,000,000			7,000,000
TOTAL FUNDING							
Environmental	0	600,000	0	0	0	0	600,000
Final Design (PS&E)	0	0	2,600,000	0	0	0	2,600,000
Right of Way	0	0	300,000	100,000	0	0	400,000
Construction	0	0	4,340,000	26,060,000	0	0	30,400,000
PROJECT TOTAL	0	600,000	7,240,000	26,160,000	0	0	34,000,000



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0671 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 5/30/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381, Revised, 4382, and 4389.

Revises the FY 2019-20 Fund Estimate, allocates \$380 million in FY 2019-20 Transportation Development Act (TDA) funds, State Transit Assistance (STA) funds, Assembly Bill 1107 (AB 1107) funds, and Regional Measure 2 (RM 2) operating and capital funds to several transit operators to support transit operations and capital projects in the region, and approves the FY 2019-20 State of Good Repair Program project list.

Sponsors:

Indexes:

Code sections:

Attachments: [7b PAC 3b Resos-4360-4379-4380-4381-4382-4389 Fund Estimate.pdf](#)
[3b Resos-4360-4379-4380-4381-4382-4389 Fund Estimate.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381, Revised, 4382, and 4389.

Revises the FY 2019-20 Fund Estimate, allocates \$380 million in FY 2019-20 Transportation Development Act (TDA) funds, State Transit Assistance (STA) funds, Assembly Bill 1107 (AB 1107) funds, and Regional Measure 2 (RM 2) operating and capital funds to several transit operators to support transit operations and capital projects in the region, and approves the FY 2019-20 State of Good Repair Program project list.

Presenter:

William Bacon

Recommended Action:

Commission Approval

Metropolitan Transportation Commission Programming and Allocations Committee

July 10, 2019

Agenda Item 3b

**MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381, Revised,
4382, and 4389**

Subject: Revises the FY 2019-20 Fund Estimate, allocates \$380 million in FY 2019-20 Transportation Development Act (TDA) funds, State Transit Assistance (STA) funds, Assembly Bill 1107 (AB 1107) funds, and Regional Measure 2 (RM 2) operating and capital funds to several transit operators to support transit operations and capital projects in the region, and approves the FY 2019-20 State of Good Repair Program project list.

Background:**1) Fund Estimate Revision**

Reconcile Actual FY 2018-19 TDA and AB 1107 Revenue: Overall, actual Bay Area TDA and AB 1107 sales tax receipts for FY 2018-19 are 5.5% higher and 8.1% higher, respectively, than originally estimated by county auditors and MTC in February 2018. This results in roughly \$22 million more in TDA funding for Bay Area transit operators for FY 2018-19 than was originally anticipated. For AB 1107, \$7.0 million in revenue above what was originally expected will be made available to AC Transit and SFMTA based on the 50%-50% split in AB 1107 revenues between the two operators. Only one minor rescission was needed, in Napa County, to bring allocations in line with actual receipts due to actual revenues coming in 1.2% lower than anticipated receipts. Attachment A provides details on actual TDA revenues by county.

2) STA County Block Grant

In February 2018 the Commission adopted MTC Resolution No. 4321 which established a new STA County Block Grant program to distribute STA Population-Based funds in the region. Congestion Management Agencies (CMAs) are tasked with establishing policies to distribute STA County Block Grant funds within their jurisdictions and are required to report their distribution policies to MTC. Attachment B contains information on the proposed distribution policies for FY 2019-20.

Additionally, MTC Resolution No. 4321 required CMAs in Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara counties to report on progress towards establishing or enhancing mobility management programs to help provide equitable and effective access to transportation. All five counties submitted summaries of current mobility management efforts, provided in Attachment D. Staff will use these reports as a baseline to evaluate mobility management activities going forward.

3) State of Good Repair Program – FY 2019-20 Regional Project List

Beginning in FY 2019-20, the State of Good Repair (SGR) Program guidelines require regional agencies like MTC to approve SGR Program Revenue-Based projects from transit operators, in addition to the population-based funds, and submit a single region-wide list of projects to Caltrans by September 1st of each year. MTC has worked with the Bay Area's transit

operators to compile a single, regional list of SGR Program projects for FY 2019-20, as shown in Attachment A to MTC Resolution 4389.

Approximately \$29 million is expected in revenue-based funds, along with \$10 million in population-based funds. Most operators are using their revenue-based funds for state of good repair projects at facilities and stations, or to provide local match, and in a few cases for rehabilitation of vehicles or to contribute to new vehicles costs. For the population-based funds, MTC is programming all \$10 million to the Clipper® Next Generation system, in accordance with the policy established in MTC Resolution No. 4321.

4) Allocations

Staff proposes an allocation of \$380 million in FY 2019-20 Transportation Development Act (TDA), State Transit Assistance (STA), Regional Measure 2 (RM2), and AB 1107 funds to six operators to support transit operations and capital projects in the region. These funds are allocated annually to the region's transit providers and are a core component of their funding.

Allocations from any apportionment that exceed the \$1 million delegated authority limit are identified in the table below. Allocation requests that are less than \$1 million are approved separately through the Executive Director's Delegated Authority process. The allocation requests are consistent with the adopted MTC Fund Estimate (Resolution 4360, Revised for TDA and STA) and the RM2 Operating Program (MTC Resolution 4378, Revised).

Transit Operator/ Claimant	TDA Resolution No. 4380	STA Resolution No. 4381	RM2 Resolution No. 4379	AB1107 Resolution No. 4382	Total
AC Transit	\$ 83,835,546	\$ 28,211,252	\$ 12,955,503	\$ 45,500,000	\$ 170,502,301
ECCTA	\$ 8,403,327	\$ 5,969,639	\$ -		\$ 14,372,966
LAVTA	\$ 10,966,625	\$ 1,834,900			\$ 12,801,525
SFMTA	\$ 49,898,323	\$ 66,574,465	\$ 2,500,000	\$ 45,500,000	\$ 164,472,788
Sonoma County Transit	\$ 9,346,446	\$ 2,133,337	\$ -		\$ 11,479,783
WestCat	\$ 4,144,603	\$ 2,601,185	\$ -		\$ 6,745,788
Total	\$ 166,594,870	\$ 107,324,778	\$ 15,455,503	\$ 91,000,000	\$ 380,375,151

Information regarding the operating budgets and major initiatives of the above operators is provided in Attachment C. Notably, AC Transit, LAVTA, and Sonoma County Transit have recently experienced small increases in ridership. Most of the operators receiving allocations this month are keeping costs within inflation after accounting for service increases.

Issues: None

Recommendation: Refer MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381, Revised, 4382, and 4389 to the Commission for approval.

Attachments: Attachment A: TDA and AB 1107 Revenues
Attachment B: STA County Block Grant Summary

Attachment C: Transit Operator Budget Summary
Attachment D: County Mobility Management Activities Summary
MTC Resolution Nos. 4360, Revised, 4379, Revised, 4380, Revised, 4381,
Revised, 4382, and 4389



Alix Bockelman

Attachment A: TDA and AB 1107 Revenues (\$ millions)

	A	B	C	D			
County	FY 2017-18	FY 2018-19	FY 2018-19	FY 2018-19	FY 2018-19 Revenue Adjustment	FY 2018-19 Revenue Adjustment	FY 2018-19 Actual vs FY 2017-18 Actual
	Actual Revenue	Feb. 2018 Original Estimate	Feb. 2019 Revised Estimate	Actual Revenue	(D - B) - \$	(D - B) - %	(D - A) - %
Alameda	\$83.59	\$85.63	\$91.63	\$90.42	\$4.79	5.6%	8.2%
Contra Costa	\$42.32	\$43.66	\$47.83	\$45.41	\$1.75	4.0%	7.3%
Marin	\$13.11	\$13.49	\$14.17	\$14.04	\$0.55	4.0%	7.1%
Napa	\$8.89	\$9.62	\$8.76	\$9.51	(\$0.11)	-1.2%	6.9%
San Francisco	\$47.76	\$49.07	\$48.89	\$52.84	\$3.77	7.7%	10.6%
San Mateo	\$41.91	\$44.45	\$46.12	\$45.67	\$1.22	2.7%	9.0%
Santa Clara	\$109.02	\$109.93	\$115.90	\$118.21	\$8.28	7.5%	8.4%
Solano	\$19.22	\$19.72	\$21.24	\$20.45	\$0.73	3.7%	6.4%
Sonoma	\$24.17	\$24.90	\$26.00	\$25.77	\$0.87	3.5%	6.6%
Total TDA	\$389.99	\$400.47	\$420.53	\$422.31	\$21.85	5.5%	8.3%
Total AB 1107	\$85.96	\$86.54	\$89.00	\$93.55	\$7.01	8.1%	8.8%

**State Transit Assistance (STA) Population-Based County Block Grant
Fiscal Year 2019-20 Distribution Policy**

County	STA Population-Based County Block Grant Amount Fiscal Year 2019-20	STA Population-Based County Block Grant Framework Fiscal Year 2019-20
Alameda	\$9,300,688	<p>The Alameda County Transportation Commission's (Alameda CTC) adopted framework was approved on 4/18/2019 and includes four main programs, which remain the same as the overall program adopted for FY 2018-19:</p> <ul style="list-style-type: none"> -Small Operator (Union City and LAVTA) Guarantee - 24% - \$2,329,398 -Paratransit/Mobility Management - 25% - \$2,426,456 -Low Income Student Riders on the Affordable Student Transit Pass Program - 25.5% - \$2,474,986 -Lifeline Program - 25.5% - \$2,474,986 <p>The breakdown by transit operator for FY 2019-20 is:</p> <ul style="list-style-type: none"> AC Transit - 63.6% - \$6,172,905 BART - 6.1% - \$593,997 LAVTA - 21.9% - \$2,124,605
Contra Costa	\$11,671,183	<p>The Contra Costa Transportation Authority's (CCTA) adopted framework was approved on 5/15/2019 and includes specific percentages for each designated transit operator, these percentages remain the same as the program adopted for FY 2018-19:</p> <ul style="list-style-type: none"> -County Connection - 47.2% - \$5,508,470 -Tri Delta Transit - 30.1% - \$3,513,026 -WestCAT - 7.6% - \$887,010 -AC Transit - 14.4% - \$1,680,650 -BART - 0.6% - \$70,027
Napa	\$1,836,579	100% of Napa County's Block Grant will be directed to the Napa Valley Transportation Authority (NVTA).
Marin	\$3,002,408	<p>The Transportation Authority of Marin's (TAM) adopted framework was approved on 3/28/2019 and includes specific percentages for each designated transit operator:</p> <ul style="list-style-type: none"> -GGBHTD - 57.5% - \$1,726,685 -Marin Transit - 38.5% - \$1,157,128 -SMART - 4.0% - \$118,595

**State Transit Assistance (STA) Population-Based County Block Grant
Fiscal Year 2019-20 Distribution Policy**

County	STA Population-Based County Block Grant Amount Fiscal Year 2019-20	STA Population-Based County Block Grant Framework Fiscal Year 2019-20
San Francisco	\$4,448,795	<p>The San Francisco County Transportation Authority's (SFCTA) adopted framework was approved on 12/11/2018 and includes two main programs, which remain the same as the overall program adopted for FY 2018-19:</p> <p>SFMTA Paratransit - 40% - \$1,779,518 San Francisco Lifeline Transportation Program (competitive) - 60% - \$2,669,277</p> <p>Note that SF is using 60% of its STA County Block Grant funds from FY 2018-19 and FY 2019-20 to fund Cycle 1 of their San Francisco Lifeline Transportation Program. On 4/23/2019 the SFCTA adopted the following three Cycle 1 San Francisco Lifeline Transportation Program projects:</p> <p>BART – Elevator Attendant Initiative – \$2,600,000 SFMTA – SF Community Health Mobility Navigation Project: Removing Health Care Transportation Barriers for Low Access Neighborhoods - \$396,300 SFMTA - Continuing Late Night Transit Service to Communities in Need - \$1,609,700</p>
San Mateo	\$2,663,609	<p>37% of funds will be allocated to SamTrans' paratransit program and 63% will be held by the City/County Association of Governments (C/CAG) for a county-led Lifeline Program.</p> <p>SamTrans Paratransit - 37% - \$985,535 San Mateo Lifeline Program - 63% - \$1,678,074</p>
Santa Clara	\$7,414,416	100% of Santa Clara County's Block Grant will be directed to Valley Transportation Authority (VTA) paratransit operations.
Solano	\$5,525,538	Solano County's normal annual budget process for the use of STA Population-Based funds is being carried forward and will conclude in June 2019. By late-June 2019 the Solano Transportation Authority will share with MTC their FY 2019-20 Block Grant program.
Sonoma	\$6,751,093	<p>The Sonoma County Transportation Authority (SCTA) prepares a coordinated TDA/STA claim annually on behalf of all transit operators serving Sonoma County. Their FY 2019-20 Coordinated Claim distributed Block Grant funds accordingly:</p> <p>-Petaluma Transit - 11.3% - \$762,299 -Santa Rosa CityBus - 34.4% - \$2,321,780 -Sonoma County Transit - 46.8% - \$3,156,071 -Golden Gate Transit - 0% -SMART - 7.6% - \$510,944</p>

Attachment C – Transit Operator Budget Summary

Operator	FY2018-19 Operating Budget	FY2019-20 Operating Budget	% Change	Revenue Vehicle Hours % Increase	FY2019-20 Operating Request ¹	Allocation Request as a % of Operating Budget	Highlight of FY2019-20 Budgets
AC Transit	\$452,747,000	\$474,024,000	4.7%	1.3%	\$174,514,020	37%	<ul style="list-style-type: none"> 80% of the budget increase is due to rising salary and benefit costs. However, the budget does not include any salary increase for the Amalgamated Transit Union (ATU) contract which covers a majority of the workers since contract negotiations are ongoing. An increase in wage or benefits to this contract will have an impact on the budget. Five new employees will be hired to support the Bus Rapid Transit (BRT) service: four Ambassadors/Fare Collection Enforcement so that fares can be paid before boarding and one bus stop maintenance staff.
Tri Delta (ECCTA)	\$21,220,720	\$22,398,895	5.6%	5.3%	\$17,178,400	77%	<ul style="list-style-type: none"> Tri Delta Transit will soon launch an on-demand service (first mile/last mile service) focused around the Antioch and Pittsburg Bay Point BART stations. Tri Delta has budgeted for potential service hour increases as they adjust service based on ridership changes due to the opening of the BART extension as well as missed service in FY2018-19 due to driver shortages. The Mobility on Demand program (partnership with ridesharing and taxi companies) provides rides to paratransit customers at reduced costs. Ridership has rapidly increased as a result of this option.
LAVTA	\$19,414,875	\$20,596,291	6.1%	2.0%	\$14,495,070	70%	<ul style="list-style-type: none"> Three new studies, including autonomous vehicle testing and the Short Range Transit Plan, comprise 60% of the budget increase. The final study, Tri-Valley Hub Network Integration Study, will analyze the feasibility of express bus service to fill gaps in regional rail service as part of its TIRCP grant. LAVTA received a BAAQMD two- year grant to expand its on-demand shared-ride project to other parts of the Tri-Valley not served by fixed route transit.

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.

Attachment C – Transit Operator Budget Summary

Operator	FY2018-19 Operating Budget	FY2019-20 Operating Budget	% Change	Revenue Vehicle Hours % Increase	FY2019-20 Operating Request ¹	Allocation Request as a % of Operating Budget	Highlight of FY2019-20 Budgets
SFMTA	\$904,318,190	\$955,514,855	5.7%	4.1%	\$162,280,051	17%	<ul style="list-style-type: none"> • SFMTA will expand Late Night Service, partly due to Lifeline funding. • SFMTA expects to receive its last light rail expansion vehicle later this year as well as finalize procurement for the first phase of light rail replacement vehicles.
Sonoma County Transit	\$17,170,994	\$17,732,249	3.3%	3.0%	\$13,071,692	74%	<ul style="list-style-type: none"> • Increases in vehicle maintenance costs account for 70% of the budget increase. Several 2010 and 2012 buses need engine rebuilds, which have not been necessary for mid- to late-life buses in the past. New high-temperature engines and emission technologies have contributed to this issue. • Sonoma County Transit's Fare-Free program now includes five routes with the final local route expected to be added soon. Ridership on these routes have increased 48% overall and it has also increased local government interest in local transit services.
WestCat	\$12,059,300	\$12,868,100	6.7%	5.0%	\$8,555,574	66%	<ul style="list-style-type: none"> • Purchased transportation accounts for one-third of the budget increase. The contract was increased to retain and recruit drivers. The contract also includes budget capacity to increase service by 5%. Another one-third of the budget increase is due equally to insurance increases and lease expenses for the Salesforce Transit Center. • WestCat began operating double decker buses, funded through Bay Bridge Forward, on the LYNX service in February 2019. These buses increase capacity by 50% and support continued ridership growth on this service.

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.

Attachment D
 State Transit Assistance (STA) Population-Based County Block Grant
 2019 County Mobility Management Activities Summary

County ¹	Summary of Activities
Alameda	<ul style="list-style-type: none"> - Alameda CTC Paratransit Program: <ul style="list-style-type: none"> • Provides and maintains Access Alameda resources • Convenes biannual Countywide Mobility Management Working Group meetings that support information sharing and promotes collaboration and coordination amongst providers in Alameda County • Oversees the paratransit and planning committee and the county paratransit coordinating council • Approximately \$30 million (funded with Measures B and BB) annually for county programs for discretionary grant program which supports cities, transit agencies and other services throughout the county - Travel Training: 7 Cities or non-profits offer travel training services in Alameda County (funded by ACTC) - ADA Certification: LAVTA, East Bay Paratransit and Union City) use in-person certification - Information and referral services (I&R): 4 cities/non-profits provide I&R (note 3 of these agencies also provide travel training) in the county (funded by ACTC)
Contra Costa	<ul style="list-style-type: none"> - CCTA is leading a countywide Accessible Transportation Strategic Plan, funded through a Caltrans Planning grant, which will identify opportunities for improving cooperation and service - Paratransit services are provided by the four operators (WestCat, County Connection, Tri-Delta, AC Transit) and supplemented by non-profit, client-based services <p>Next Steps: Identifying an appropriate Mobility Manager will be one charge of the ATS plan</p>
San Francisco	<ul style="list-style-type: none"> - Mobility management in SF is led by SFMTA and is staffed within SFMTA's paratransit office - Information and referrals for travel options are provided to paratransit customers (SFMTA programs, the RTC card and senior Clipper card) - SF Paratransit website update under development - SFMTA hosts the Mobility Management Steering Committee, which connects with the larger community of non-profit, client-based providers - SFMTA coordinates with: <ul style="list-style-type: none"> • SF Paratransit Coordinating Council • Department of Aging and Adult Services

¹ Counties of Marin, Napa, Solano and Sonoma are not required to submit reports.

County ¹	Summary of Activities
	Next Steps: Enhanced interjurisdictional coordination; promotion of new website and content (including travel training videos); outreach; investigation of resource and technology sharing between SF Paratransit and community providers
San Mateo	<ul style="list-style-type: none"> - Mobility Management in SM is led by SamTrans - SamTrans adopted the 2018 SamTrans Mobility Plan for Older Adults and People with Disabilities <p>Next Steps: C/CAG is looking to become more involved in mobility management efforts in San Mateo</p>
Santa Clara	<ul style="list-style-type: none"> - Three years of funding (\$2.6M) has been identified using Section 5307, STA and local funds to create a Mobility Assistance Program, which will have three components, all with separate eligibility: <ul style="list-style-type: none"> • Individualized travel plans and training for fixed route public transit • Demand-responsive transportation services for those who lack access to or the ability to use fixed route transit • Guaranteed Ride Home services to cover emergency needs

Date: February 27, 2019
W.I.: 1511
Referred by: PAC
Revised: 07/24/19-C

ABSTRACT

MTC Resolution No. 4360, Revised

This resolution approves the FY 2019-20 Fund Estimate, including the distribution and apportionment of Transportation Development Act (TDA), State Transit Assistance (STA), State of Good Repair (SGR) Program, Assembly Bill (AB) 1107 sales tax, Low Carbon Transit Operations (LCTOP) cap-and-trade auction revenues, and transit-related bridge toll funds.

This resolution was revised on July 24, 2019 to reflect actual receipts for TDA and AB 1107 funds in FY 2018-19, the rescission actions that were necessary to match FY 2018-19 allocations to the actual revenue collected, and the allocations of additional revenue for FY 2018-19 per operators' requests.

Further discussion of this action is contained in the MTC Programming and Allocations Summary Sheets dated February 14, 2018 and July 10, 2019.

Date: February 27, 2019
W.I.: 1511
Referred by: PAC

RE: Determination of Transportation Development Act (TDA) Area Apportionments and Proposed Distribution of Operating Funds for FY 2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4360

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, the Transportation Development Act (TDA), Public Utilities Code (PUC) Sections 99200 *et seq.*, provides that funds are made available from the Local Transportation Fund (LTF) for various transportation purposes; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6620, the County Auditor for each of the nine counties in the Bay Area has submitted the revised and new TDA fund estimates for FY 2018-19 and FY 2019-20 as shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC is required to determine and advise all prospective claimants, prior to March 1 each year, of all area apportionments from the LTF for the following fiscal year pursuant to 21 California Code of Regulations Section 6644; and

WHEREAS, all area apportionments of TDA funds for the 2019-20 fiscal year are shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC has prepared a proposed distribution of operating/capital assistance funds, including TDA, State Transit Assistance (STA) pursuant to Public Utilities Code § 99310 *et seq.*, State of Good Repair (SGR) Program pursuant to Public Utilities Code § 99312.1, Low Carbon Transit Operations Program (LCTOP) pursuant to Health and Safety Code § 39719(b)(1)(B), the twenty-five percent (25%) of the one-half cent transaction and use tax collected pursuant to PUC Section 29142.2 (AB 1107), and estimates of certain toll bridge revenues (SHC §§ 30910 *et seq.*), in order to provide financial information to all prospective claimants to assist them in developing budgets in a timely manner; and


WHEREAS, the proposed distribution of such operating assistance funds is also shown in Attachment A; now, therefore, be it

RESOLVED, that MTC approves the area apportionments of TDA funds, and the proposed distribution of operating assistance funds for the 2019-20 fiscal year as shown in Attachment A, subject to the conditions noted therein; and, be it further

RESOLVED, that MTC intends to allocate operating assistance funds for the 2019-20 fiscal year, based on the area apportionments of TDA funds, the proposed distribution of operating assistance funds and upon the receipt of appropriate claims from eligible claimants; and, be it further

RESOLVED, that Attachment A may be revised by the MTC Executive Director or his designee to reflect funds returned to the Local Transportation Fund and expired capital allocations or by approval of the MTC Programming and Allocations Committee, except that any significant changes shall be submitted to the full Commission for approval.

METROPOLITAN TRANSPORTATION COMMISSION


Chair

The above resolution was approved by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in San Francisco, California, on February 27, 2019.

**FY 2019-20 FUND ESTIMATE
REGIONAL SUMMARY**

Attachment A
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TDA REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i> 6/30/2018	<i>B</i> FY2017-19	<i>C</i> FY2018-19	<i>D</i> FY2018-19	<i>E</i> FY2018-19	<i>F</i> FY2019-20	<i>G</i> FY2019-20	<i>H=Sum(A:G)</i> FY2019-20
Apportionment Jurisdictions	Balance ¹	Outstanding Commitments, Refunds, & Interest ²	Original Estimate	Revenue Adjustment	Revised Admin. & Planning Charge	Revenue Estimate	Admin. & Planning Charge	Available for Allocation
Alameda	21,451,946	(87,841,429)	85,627,000	4,793,858	(3,616,834)	93,648,000	(3,745,920)	110,316,620
Contra Costa	18,330,873	(46,122,379)	43,662,990	1,743,564	(1,816,262)	49,794,669	(1,991,786)	63,601,668
Marin	788,882	(13,680,637)	13,492,255	543,054	(561,412)	14,695,062	(587,802)	14,689,402
Napa	5,923,436	(12,600,192)	9,623,888	(118,653)	(380,209)	8,941,741	(357,670)	11,032,342
San Francisco	1,134,529	(48,209,325)	49,067,500	3,775,682	(2,113,727)	49,262,500	(1,970,501)	50,946,658
San Mateo	7,914,338	(44,885,837)	44,447,807	1,218,927	(1,826,669)	47,777,676	(1,911,106)	52,735,135
Santa Clara	6,658,406	(116,103,953)	109,927,000	8,282,854	(4,728,394)	117,635,000	(4,705,400)	116,965,512
Solano	27,519,736	(28,965,638)	19,722,853	728,438	(818,052)	21,239,810	(849,592)	38,577,555
Sonoma	8,705,497	(25,761,290)	24,900,000	868,001	(1,030,720)	26,800,000	(1,072,000)	33,409,488
TOTAL	\$98,427,643	(\$424,170,680)	\$400,471,293	\$21,835,726	(\$16,892,279)	\$429,794,458	(\$17,191,777)	\$492,274,380

STA, AB 1107, BRIDGE TOLL, LOW CARBON TRANSIT OPERATIONS PROGRAM, & SGR PROGRAM REGIONAL SUMMARY TABLE

<i>Column</i>	<i>A</i> 6/30/2018	<i>B</i> FY2017-19	<i>C</i> FY2018-19	<i>D</i> FY2019-20	<i>E=Sum(A:D)</i> FY2019-20
Fund Source	Balance (w/ interest) ¹	Outstanding Commitments ²	Revenue Estimate ³	Revenue Estimate	Available for Allocation
State Transit Assistance					
Revenue-Based	20,181,706	(146,843,148)	179,153,920	208,601,170	261,093,648
Population-Based	56,059,253	s	64,770,585	75,416,824	135,264,289
SUBTOTAL	76,240,959	(207,825,524)	243,924,505	284,017,994	396,357,936
AB1107 - BART District Tax (25% Share)	0	(93,552,924)	93,552,924	91,000,000	91,000,000
Bridge Toll Total					
MTC 2% Toll Revenue	5,840,894	(5,072,516)	1,450,000	1,450,000	3,668,376
5% State General Fund Revenue	13,306,059	(8,892,690)	3,581,607	3,614,688	11,609,663
SUBTOTAL	19,146,952	(13,965,206)	5,031,607	5,064,688	15,278,039
Low Carbon Transit Operations Program	0	0	54,058,614	44,305,559	98,364,173
State of Good Repair Program					
Revenue-Based	88,616	0	28,352,052	29,060,854	57,501,523
Population-Based	66,936	(500,000)	10,250,287	10,506,544	20,323,767
SUBTOTAL	155,552	(500,000)	38,602,339	39,567,398	77,825,290
TOTAL	\$95,543,464	(\$315,843,654)	\$435,169,989	\$463,955,639	\$678,825,438

Please see Attachment A pages 2-20 for detailed information on each fund source.

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19 for TDA and AB 1107 and as of 1/31/19 for STA and the SGR Program

3. Actual FY 2018-19 revenue is shown for AB 1107, estimates are shown for all other sources.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
ALAMEDA COUNTY

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	85,627,000		13. County Auditor Estimate	93,648,000	
2. Actual Revenue (Jun, 19)	90,420,858		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)	4,793,858		14. MTC Administration (0.5% of Line 13)	468,240	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	468,240	
4. MTC Administration (0.5% of Line 3)	23,969		16. MTC Planning (3.0% of Line 13)	2,809,440	
5. County Administration (Up to 0.5% of Line 3)	23,969		17. Total Charges (Lines 14+15+16)	3,745,920	
6. MTC Planning (3.0% of Line 3)	143,816		18. TDA Generations Less Charges (Lines 13-17)	89,902,080	
7. Total Charges (Lines 4+5+6)	191,754		FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)	4,602,104		19. Article 3.0 (2.0% of Line 18)	1,798,042	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	88,104,038	
9. Article 3 Adjustment (2.0% of line 8)	92,042		21. Article 4.5 (5.0% of Line 20)	4,405,202	
10. Funds Remaining (Lines 8-9)	4,510,062		22. TDA Article 4 (Lines 20-21)	83,698,836	
11. Article 4.5 Adjustment (5.0% of Line 10)	225,503				
12. Article 4 Adjustment (Lines 10-11)	4,284,559				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	4,304,890	53,204	4,358,094	(4,867,401)	0	1,644,038	92,042	1,226,773	1,798,042	3,024,815
Article 4.5	177,650	3,364	181,015	(4,167,540)	0	4,027,894	225,503	266,872	4,405,202	4,672,074
SUBTOTAL	4,482,541	56,568	4,539,109	(9,034,941)	0	5,671,932	317,545	1,493,645	6,203,244	7,696,889
Article 4										
AC Transit										
District 1	2,181,680	35,805	2,217,485	(51,634,148)	0	49,454,451	2,768,725	2,806,514	53,652,104	56,458,618
District 2	573,116	9,416	582,532	(13,593,692)	0	13,021,099	728,991	738,930	14,405,019	15,143,949
BART ³	9,216	31	9,247	(101,489)	0	93,204	5,218	6,179	99,686	105,865
LAVTA	8,253,898	64,178	8,318,076	(10,880,707)	0	10,544,788	590,354	8,572,510	11,862,197	20,434,707
Union City	5,951,495	61,408	6,012,904	(3,063,977)	240,118	3,416,446	191,271	6,796,762	3,679,830	10,476,592
SUBTOTAL	16,969,405	170,839	17,140,244	(79,274,013)	240,118	76,529,988	4,284,559	18,920,895	83,698,836	102,619,731
GRAND TOTAL	\$21,451,946	\$227,406	\$21,679,352	(\$88,308,954)	\$240,118	\$82,201,920	\$4,602,104	\$20,414,540	\$89,902,080	\$110,316,620

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 16 of the Fund Estimate.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
CONTRA COSTA COUNTY

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	43,662,990		13. County Auditor Estimate	49,794,669	
2. Actual Revenue (Jun, 19)	45,406,554		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)	1,743,564		14. MTC Administration (0.5% of Line 13)	248,973	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	248,973	
4. MTC Administration (0.5% of Line 3)	8,718		16. MTC Planning (3.0% of Line 13)	1,493,840	
5. County Administration (Up to 0.5% of Line 3)	8,718		17. Total Charges (Lines 14+15+16)	1,991,786	
6. MTC Planning (3.0% of Line 3)	52,307		18. TDA Generations Less Charges (Lines 13-17)	47,802,883	
7. Total Charges (Lines 4+5+6)	69,743		FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)	1,673,821		19. Article 3.0 (2.0% of Line 18)	956,058	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	46,846,825	
9. Article 3 Adjustment (2.0% of line 8)	33,476		21. Article 4.5 (5.0% of Line 20)	2,342,341	
10. Funds Remaining (Lines 8-9)	1,640,345		22. TDA Article 4 (Lines 20-21)	44,504,484	
11. Article 4.5 Adjustment (5.0% of Line 10)	82,017				
12. Article 4 Adjustment (Lines 10-11)	1,558,328				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	1,229,103	18,462	1,247,565	(1,983,694)	0	838,329	33,476	135,676	956,058	1,091,734
Article 4.5	64,239	554	64,793	(2,104,344)	0	2,053,907	82,017	96,373	2,342,341	2,438,714
SUBTOTAL	1,293,343	19,016	1,312,358	(4,088,038)	0	2,892,236	115,493	232,049	3,298,399	3,530,448
Article 4										
AC Transit										
District 1	211,689	3,425	215,114	(7,009,922)	0	6,799,654	271,526	276,372	7,683,913	7,960,285
BART ³	8,726	47	8,773	(281,512)	0	275,140	10,987	13,388	309,402	322,790
CCCTA	13,008,802	116,179	13,124,981	(24,129,651)	1,699,736	18,312,124	731,246	9,738,436	20,909,368	30,647,804
ECCTA	889,558	7,406	896,965	(8,959,319)	0	11,300,787	451,267	3,689,699	12,929,972	16,619,671
WCCTA	2,918,755	30,902	2,949,656	(3,530,648)	0	2,336,529	93,303	1,848,841	2,671,829	4,520,670
SUBTOTAL	17,037,530	157,959	17,195,489	(43,911,052)	1,699,736	39,024,234	1,558,328	15,566,736	44,504,484	60,071,220
GRAND TOTAL	\$18,330,873	\$176,974	\$18,507,847	(\$47,999,089)	\$1,699,736	\$41,916,470	\$1,673,821	\$15,798,785	\$47,802,883	\$63,601,668

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 16 of the Fund Estimate.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
MARIN COUNTY

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FY2018-19 TDA Revenue Estimate					FY2019-20 TDA Revenue Estimate					
<i>FY2018-19 Generation Estimate Adjustment</i>					<i>FY2019-20 County Auditor's Generation Estimate</i>					
1. Original County Auditor Estimate (Feb, 18)			13,492,255		13. County Auditor Estimate				14,695,062	
2. Actual Revenue (Jun, 19)			14,035,309		<i>FY2019-20 Planning and Administration Charges</i>					
3. Revenue Adjustment (Lines 2-1)				543,054	14. MTC Administration (0.5% of Line 13)			73,475		
<i>FY2018-19 Planning and Administration Charges Adjustment</i>					15. County Administration (0.5% of Line 13)			73,475		
4. MTC Administration (0.5% of Line 3)			2,715		16. MTC Planning (3.0% of Line 13)			440,852		
5. County Administration (Up to 0.5% of Line 3)			2,715		17. Total Charges (Lines 14+15+16)				587,802	
6. MTC Planning (3.0% of Line 3)			16,292		18. TDA Generations Less Charges (Lines 13-17)				14,107,260	
7. Total Charges (Lines 4+5+6)				21,722	<i>FY2019-20 TDA Apportionment By Article</i>					
8. Adjusted Generations Less Charges (Lines 3-7)				521,332	19. Article 3.0 (2.0% of Line 18)			282,145		
<i>FY2018-19 TDA Adjustment By Article</i>					20. Funds Remaining (Lines 18-19)				13,825,115	
9. Article 3 Adjustment (2.0% of line 8)			10,427		21. Article 4.5 (5.0% of Line 20)			0		
10. Funds Remaining (Lines 8-9)				510,905	22. TDA Article 4 (Lines 20-21)				13,825,115	
11. Article 4.5 Adjustment (5.0% of Line 10)			0							
12. Article 4 Adjustment (Lines 10-11)				510,905						
TDA APPORTIONMENT BY JURISDICTION										
<i>Column</i>	<i>A</i>	<i>B</i>	<i>C=Sum(A:B)</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H=Sum(C:G)</i>	<i>I</i>	<i>J=Sum(H:I)</i>
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ²	Outstanding Commitments ³	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	580,302	14,305	594,607	(837,830)	0	259,051	10,427	26,255	282,145	308,400
Article 4.5										
SUBTOTAL	580,302	14,305	594,607	(837,830)	0	259,051	10,427	26,255	282,145	308,400
Article 4/8										
GGBHTD	133,790	3,200	136,991	(7,760,055)	0	7,626,263	306,952	310,150	8,286,774	8,596,924
Marin Transit	74,790	9,142	83,932	(5,109,399)	0	5,067,251	203,953	245,737	5,538,341	5,784,078
SUBTOTAL	208,581	12,342	220,923	(12,869,454)	0	12,693,514	510,905	555,887	13,825,115	14,381,002
GRAND TOTAL	\$788,882	\$26,647	\$815,529	(\$13,707,284)	\$0	\$12,952,565	\$521,332	\$582,142	\$14,107,260	\$14,689,402

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
NAPA COUNTY

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FY2018-19 TDA Revenue Estimate					FY2019-20 TDA Revenue Estimate					
FY2018-19 Generation Estimate Adjustment					FY2019-20 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 18)			9,623,888		13. County Auditor Estimate				8,941,741	
2. Actual Revenue (Jun, 19)			9,505,235		FY2019-20 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)			-118,653		14. MTC Administration (0.5% of Line 13)			44,709		
FY2018-19 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)			44,709		
4. MTC Administration (0.5% of Line 3)			(593)		16. MTC Planning (3.0% of Line 13)			268,252		
5. County Administration (Up to 0.5% of Line 3)			(593)		17. Total Charges (Lines 14+15+16)			357,670		
6. MTC Planning (3.0% of Line 3)			(3,560)		18. TDA Generations Less Charges (Lines 13-17)			8,584,071		
7. Total Charges (Lines 4+5+6)			(4,746)		FY2019-20 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)			(113,907)		19. Article 3.0 (2.0% of Line 18)			171,681		
FY2018-19 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)			8,412,390		
9. Article 3 Adjustment (2.0% of line 8)			(2,278)		21. Article 4.5 (5.0% of Line 20)			420,620		
10. Funds Remaining (Lines 8-9)			(111,629)		22. TDA Article 4 (Lines 20-21)			7,991,770		
11. Article 4.5 Adjustment (5.0% of Line 10)			(5,581)							
12. Article 4 Adjustment (Lines 10-11)			(106,048)							
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ²	Outstanding Commitments ³	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	376,020	3,968	379,988	(542,206)	0	184,779	(2,278)	20,283	171,681	191,964
Article 4.5	12,649	33	12,682	(459,775)	0	452,708	(5,581)	34	420,620	420,654
SUBTOTAL	388,669	4,001	392,670	(1,001,981)	0	637,487	(7,859)	20,317	592,301	612,618
Article 4/8										
NVTA ³	5,534,768	36,150	5,570,918	(13,236,453)	1,598,092	8,601,446	(106,048)	2,427,954	7,991,770	10,419,724
SUBTOTAL	5,534,768	36,150	5,570,918	(13,236,453)	1,598,092	8,601,446	(106,048)	2,427,954	7,991,770	10,419,724
GRAND TOTAL	\$5,923,436	\$40,151	\$5,963,587	(\$14,238,434)	\$1,598,092	\$9,238,933	(\$113,907)	\$2,448,271	\$8,584,071	\$11,032,342

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.
3. NVTA is authorized to claim 100% of the apportionment to Napa County.

**FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN FRANCISCO COUNTY**

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	49,067,500		13. County Auditor Estimate	49,262,500	
2. Actual Revenue (Jun, 19)	52,843,182		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)	3,775,682		14. MTC Administration (0.5% of Line 13)	246,313	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	246,313	
4. MTC Administration (0.5% of Line 3)	18,878		16. MTC Planning (3.0% of Line 13)	1,477,875	
5. County Administration (Up to 0.5% of Line 3)	18,878		17. Total Charges (Lines 14+15+16)	1,970,501	
6. MTC Planning (3.0% of Line 3)	113,270		18. TDA Generations Less Charges (Lines 13-17)	47,291,999	
7. Total Charges (Lines 4+5+6)	151,026		FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)	3,624,656		19. Article 3.0 (2.0% of Line 18)	945,840	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	46,346,159	
9. Article 3 Adjustment (2.0% of line 8)	72,493		21. Article 4.5 (5.0% of Line 20)	2,317,308	
10. Funds Remaining (Lines 8-9)	3,552,163		22. TDA Article 4 (Lines 20-21)	44,028,851	
11. Article 4.5 Adjustment (5.0% of Line 10)	177,608				
12. Article 4 Adjustment (Lines 10-11)	3,374,555				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ²	Outstanding Commitments ³	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	1,134,528	30,000	1,164,528	(2,076,622)	0	942,096	72,493	102,495	945,840	1,048,335
Article 4.5	0	0	0	0	(2,308,135)	2,308,135	177,608	177,608	2,317,308	2,494,916
SUBTOTAL	1,134,528	30,000	1,164,528	(2,076,622)	(2,308,135)	3,250,231	250,101	280,103	3,263,148	3,543,251
Article 4										
SFMTA	1	0	1	(46,162,703)	2,308,135	43,854,568	3,374,555	3,374,556	44,028,851	47,403,407
SUBTOTAL	1	0	1	(46,162,703)	2,308,135	43,854,568	3,374,555	3,374,556	44,028,851	47,403,407
GRAND TOTAL	\$1,134,529	\$30,000	\$1,164,529	(\$48,239,325)	\$0	\$47,104,799	\$3,624,656	\$3,654,659	\$47,291,999	\$50,946,658

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SAN MATEO COUNTY

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	44,447,807		13. County Auditor Estimate	47,777,676	
2. Actual Revenue (Jun, 19)	45,666,734		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)	1,218,927		14. MTC Administration (0.5% of Line 13)	238,888	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	238,888	
4. MTC Administration (0.5% of Line 3)	6,095		16. MTC Planning (3.0% of Line 13)	1,433,330	
5. County Administration (Up to 0.5% of Line 3)	6,095		17. Total Charges (Lines 14+15+16)	1,911,106	
6. MTC Planning (3.0% of Line 3)	36,568		18. TDA Generations Less Charges (Lines 13-17)	45,866,570	
7. Total Charges (Lines 4+5+6)	48,758		FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)	1,170,169		19. Article 3.0 (2.0% of Line 18)	917,331	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	44,949,239	
9. Article 3 Adjustment (2.0% of line 8)	23,403		21. Article 4.5 (5.0% of Line 20)	2,247,462	
10. Funds Remaining (Lines 8-9)	1,146,766		22. TDA Article 4 (Lines 20-21)	42,701,777	
11. Article 4.5 Adjustment (5.0% of Line 10)	57,338				
12. Article 4 Adjustment (Lines 10-11)	1,089,428				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	3,343,206	76,745	3,419,951	(3,267,191)	0	853,398	23,403	1,029,561	917,331	1,946,892
Article 4.5	361,262	8,740	370,002	(2,090,825)	0	2,090,825	57,338	427,340	2,247,462	2,674,802
SUBTOTAL	3,704,468	85,485	3,789,953	(5,358,016)	0	2,944,223	80,741	1,456,901	3,164,793	4,621,694
Article 4										
SamTrans	4,209,869	112,366	4,322,236	(39,725,672)	0	39,725,672	1,089,428	5,411,664	42,701,777	48,113,441
SUBTOTAL	4,209,869	112,366	4,322,236	(39,725,672)	0	39,725,672	1,089,428	5,411,664	42,701,777	48,113,441
GRAND TOTAL	\$7,914,338	\$197,851	\$8,112,189	(\$45,083,688)	\$0	\$42,669,895	\$1,170,169	\$6,868,565	\$45,866,570	\$52,735,135

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

**FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SANTA CLARA COUNTY**

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FY2018-19 TDA Revenue Estimate				FY2019-20 TDA Revenue Estimate			
FY2018-19 Generation Estimate Adjustment				FY2019-20 County Auditor's Generation Estimate			
1. Original County Auditor Estimate (Feb, 18)		109,927,000		13. County Auditor Estimate		117,635,000	
2. Actual Revenue (Jun, 19)		118,209,854		FY2019-20 Planning and Administration Charges			
3. Revenue Adjustment (Lines 2-1)			8,282,854	14. MTC Administration (0.5% of Line 13)		588,175	
FY2018-19 Planning and Administration Charges Adjustment				15. County Administration (0.5% of Line 13)		588,175	
4. MTC Administration (0.5% of Line 3)		41,414		16. MTC Planning (3.0% of Line 13)		3,529,050	
5. County Administration (Up to 0.5% of Line 3)		41,414		17. Total Charges (Lines 14+15+16)		4,705,400	
6. MTC Planning (3.0% of Line 3)		248,486		18. TDA Generations Less Charges (Lines 13-17)		112,929,600	
7. Total Charges (Lines 4+5+6)			331,314	FY2019-20 TDA Apportionment By Article			
8. Adjusted Generations Less Charges (Lines 3-7)			7,951,540	19. Article 3.0 (2.0% of Line 18)		2,258,592	
FY2018-19 TDA Adjustment By Article				20. Funds Remaining (Lines 18-19)		110,671,008	
9. Article 3 Adjustment (2.0% of line 8)		159,031		21. Article 4.5 (5.0% of Line 20)		5,533,550	
10. Funds Remaining (Lines 8-9)			7,792,509	22. TDA Article 4 (Lines 20-21)		105,137,458	
11. Article 4.5 Adjustment (5.0% of Line 10)		389,625					
12. Article 4 Adjustment (Lines 10-11)			7,402,884				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	6,658,405	156,884	6,815,290	(7,225,766)		2,110,598	159,031	1,859,152	2,258,592	4,117,744
Article 4.5	0	0	0	0	(5,451,753)	5,170,966	389,625	108,838	5,533,550	5,642,388
SUBTOTAL	6,658,406	156,884	6,815,290	(7,225,766)	(5,451,753)	7,281,564	548,656	1,967,990	7,792,142	9,760,132
Article 4										
VTA	0	0	0	(109,035,071)	5,451,753	98,248,356	7,402,884	2,067,922	105,137,458	107,205,380
SUBTOTAL	0	0	0	(109,035,071)	5,451,753	98,248,356	7,402,884	2,067,922	105,137,458	107,205,380
GRAND TOTAL	\$6,658,406	\$156,884	\$6,815,290	(\$116,260,837)	\$0	\$105,529,920	\$7,951,540	\$4,035,912	\$112,929,600	\$116,965,512

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SOLANO COUNTY

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	19,722,853		13. County Auditor Estimate	21,239,810	
2. Actual Revenue (Jun, 19)	20,451,291		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)	728,438		14. MTC Administration (0.5% of Line 13)	106,199	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	106,199	
4. MTC Administration (0.5% of Line 3)	3,642		16. MTC Planning (3.0% of Line 13)	637,194	
5. County Administration (Up to 0.5% of Line 3)	3,642		17. Total Charges (Lines 14+15+16)	849,592	
6. MTC Planning (3.0% of Line 3)	21,853		18. TDA Generations Less Charges (Lines 13-17)	20,390,218	
7. Total Charges (Lines 4+5+6)	29,137		FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)	699,301		19. Article 3.0 (2.0% of Line 18)	407,804	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	19,982,414	
9. Article 3 Adjustment (2.0% of line 8)	13,986		21. Article 4.5 (5.0% of Line 20)	0	
10. Funds Remaining (Lines 8-9)	685,315		22. TDA Article 4 (Lines 20-21)	19,982,414	
11. Article 4.5 Adjustment (5.0% of Line 10)	0				
12. Article 4 Adjustment (Lines 10-11)	685,315				

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ²	Outstanding Commitments ³	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	767,550	8,994	776,544	(956,448)	0	378,679	13,986	212,761	407,804	620,565
Article 4.5										
SUBTOTAL	767,550	8,994	776,544	(956,448)	0	378,679	13,986	212,761	407,804	620,565
Article 4/8										
Dixon	1,474,407	17,511	1,491,918	(1,268,791)	0	821,240	30,331	1,074,698	903,994	1,978,692
Fairfield	5,209,597	60,294	5,269,891	(6,685,220)	60,133	4,858,030	179,425	3,682,259	5,277,659	8,959,918
Rio Vista	532,756	6,110	538,866	(345,296)	0	383,810	14,176	591,555	417,466	1,009,021
Solano County	1,674,281	16,559	1,690,840	(948,412)	0	843,581	31,157	1,617,166	892,044	2,509,210
Suisun City	46,475	1,204	47,678	(1,293,143)	0	1,246,669	46,044	47,249	1,326,366	1,373,615
Vacaville	9,878,356	115,298	9,993,654	(6,563,529)	0	4,189,863	154,747	7,774,735	4,497,114	12,271,849
Vallejo/Benicia	7,936,315	99,041	8,035,356	(11,289,943)	0	6,212,067	229,435	3,186,914	6,667,772	9,854,686
SUBTOTAL	26,752,185	316,017	27,068,203	(28,394,334)	60,133	18,555,260	685,315	17,974,576	19,982,414	37,956,990
GRAND TOTAL	\$27,519,736	\$325,011	\$27,844,747	(\$29,350,782)	\$60,133	\$18,933,939	\$699,301	\$18,187,337	\$20,390,218	\$38,577,555

1. Balance as of 6/30/18 is from the MTC FY2018-19 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.
3. Where applicable by local agreement, contributions from each jurisdiction will be made to support the Intercity Transit Funding Agreement.

FY 2019-20 FUND ESTIMATE
TRANSPORTATION DEVELOPMENT ACT FUNDS
SONOMA COUNTY

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FY2018-19 TDA Revenue Estimate			FY2019-20 TDA Revenue Estimate		
FY2018-19 Generation Estimate Adjustment			FY2019-20 County Auditor's Generation Estimate		
1. Original County Auditor Estimate (Feb, 18)	24,900,000		13. County Auditor Estimate	26,800,000	
2. Actual Revenue (Jun, 19)	25,768,001		FY2019-20 Planning and Administration Charges		
3. Revenue Adjustment (Lines 2-1)		868,001	14. MTC Administration (0.5% of Line 13)	134,000	
FY2018-19 Planning and Administration Charges Adjustment			15. County Administration (0.5% of Line 13)	134,000	
4. MTC Administration (0.5% of Line 3)	4,340		16. MTC Planning (3.0% of Line 13)	804,000	
5. County Administration (Up to 0.5% of Line 3)	4,340		17. Total Charges (Lines 14+15+16)	1,072,000	
6. MTC Planning (3.0% of Line 3)	26,040		18. TDA Generations Less Charges (Lines 13-17)	25,728,000	
7. Total Charges (Lines 4+5+6)		34,720	FY2019-20 TDA Apportionment By Article		
8. Adjusted Generations Less Charges (Lines 3-7)		833,281	19. Article 3.0 (2.0% of Line 18)	514,560	
FY2018-19 TDA Adjustment By Article			20. Funds Remaining (Lines 18-19)	25,213,440	
9. Article 3 Adjustment (2.0% of line 8)	16,666		21. Article 4.5 (5.0% of Line 20)	0	
10. Funds Remaining (Lines 8-9)		816,615	22. TDA Article 4 (Lines 20-21)	25,213,440	
11. Article 4.5 Adjustment (5.0% of Line 10)	0				
12. Article 4 Adjustment (Lines 10-11)		816,615			

TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	1,776,179	31,898	1,808,077	(899,957)	0	478,080	16,666	1,402,866	514,560	1,917,426
Article 4.5										
SUBTOTAL	1,776,179	31,898	1,808,077	(899,957)	0	478,080	16,666	1,402,866	514,560	1,917,426
Article 4/8										
GGBHTD ³	152,347	4,607	156,954	(6,003,623)	0	5,856,480	204,154	213,965	6,303,360	6,517,325
Petaluma	838,632	7,802	846,434	(1,711,157)	0	1,752,259	61,083	948,619	1,951,520	2,900,139
Santa Rosa	2,355,593	22,905	2,378,497	(7,173,901)	0	6,247,693	217,791	1,670,081	6,812,671	8,482,752
Sonoma County	3,582,747	40,209	3,622,956	(10,080,074)	0	9,569,488	333,587	3,445,957	10,145,888	13,591,845
SUBTOTAL	6,929,318	75,523	7,004,841	(24,968,755)	0	23,425,920	816,615	6,278,622	25,213,440	31,492,062
GRAND TOTAL	\$8,705,497	\$107,422	\$8,812,919	(\$25,868,712)	\$0	\$23,904,000	\$833,281	\$7,681,488	\$25,728,000	\$33,409,488

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

3. Apportionment to GGBHTD is 25-percent of Sonoma County's total Article 4/8 TDA funds.

**FY 2019-20 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
REVENUE-BASED FUNDS (PUC 99314)**

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FY2018-19 STA Revenue Estimate			FY2019-20 STA Revenue Estimate			
1. State Estimate (Aug, 18)	\$179,153,920		4. Projected Carryover (Aug, 19)	\$52,492,478		
2. Actual Revenue (Aug, 19)			5. State Estimate (Jan, 19)	\$208,601,170		
3. Revenue Adjustment (Lines 2-1)			6. Total Funds Available (Lines 4+5)	\$261,093,648		
STA REVENUE-BASED APPORTIONMENT BY OPERATOR						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Revenue Estimate	Projected Carryover ³	Revenue Estimate ⁴	Available For Allocation
ACCMA - Corresponding to ACE	558,245	0	256,540	814,785	298,707	1,113,492
Caltrain	1,703,516	0	7,896,890	9,600,406	9,194,889	18,795,295
CCCTA	112,241	(628,747)	728,710	212,204	848,487	1,060,691
City of Dixon	17,283	0	6,666	23,949	7,762	31,711
ECCTA	41,551	(147,694)	341,120	234,977	397,189	632,166
City of Fairfield	32,568	(163,369)	221,156	90,355	257,507	347,862
GGBHTD	95	(3,051,151)	7,898,532	4,847,476	9,196,801	14,044,277
LAVTA	268,425	(250,382)	322,450	340,493	375,451	715,944
Marin Transit	1,034,234	(1,518,064)	1,336,691	852,861	1,556,401	2,409,262
NVTA	15,815	(22,601)	103,605	96,819	120,634	217,453
City of Petaluma	20,404	0	39,138	59,542	45,571	105,113
City of Rio Vista	2,311	0	2,196	4,507	2,557	7,064
SamTrans	1,751,068	0	s	9,499,744	9,022,314	18,522,058
SMART	48,123	0	1,620,305	1,668,428	1,886,632	3,555,060
City of Santa Rosa	38,858	(199,516)	160,658	0	187,065	187,065
Solano County Transit	62,580	(355,135)	346,911	54,356	403,932	458,288
Sonoma County Transit	48,965	(217,999)	215,835	46,801	251,311	298,112
City of Union City	48,866	(133,992)	104,345	19,219	121,496	140,715
Vacaville City Coach	21,117	0	25,160	46,277	29,296	75,573
VTA	1,294,898	(29,544,098)	28,253,091	3,891	32,897,007	32,900,898
VTA - Corresponding to ACE	2	(198,174)	198,174	2	230,748	230,750
WCCTA	89,273	(444,705)	453,453	98,021	527,986	626,007
WETA	7,349,633	0	1,903,964	9,253,597	2,216,916	11,470,513
SUBTOTAL	14,560,071	(36,875,627)	60,184,266	37,868,710	70,076,659	107,945,369
AC Transit	941,284	(20,232,887)	19,293,289	1,686	22,464,497	22,466,183
BART	1,842,995	(39,612,823)	37,787,095	17,266	43,998,101	44,015,367
SFMTA	2,837,357	(50,121,811)	61,889,270	14,604,816	72,061,913	86,666,729
SUBTOTAL	5,621,635	(109,967,521)	118,969,654	14,623,768	138,524,510	153,148,278
GRAND TOTAL	\$20,181,706	(\$146,843,148)	\$179,153,920	\$52,492,478	\$208,601,170	\$261,093,648

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 1/31/19.
3. Projected carryover as of 6/30/19 does not include interest accrued in FY2018-19.
4. FY2019-20 STA revenue generation is based on January 31, 2019 estimates from the SCO.

**FY 2019-20 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
POPULATION-BASED FUNDS (PUC 99313) - THROUGH FY 2017-18**

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STA POPULATION-BASED APPORTIONMENT BY JURISDICTION & OPERATOR						
<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D=Sum(A:C)</i>	<i>E</i>	<i>F=Sum(D:E)</i>
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Revenue Estimate ⁴	Projected Carryover ³	Revenue Estimate ⁴	Available For Allocation
Northern Counties/Small Operators						
Marin	614,135	(613,281)	0	854	0	854
Napa	331,884	(331,425)	0	459	0	459
Solano/Vallejo	6,642,077	(4,089,567)	0	2,552,510	0	2,552,510
Sonoma	1,174,682	(1,080,237)	0	94,445	0	94,445
CCCTA	1,170,610	(995,164)	0	175,446	0	175,446
ECCTA	703,901	(702,265)	0	1,636	0	1,636
LAVTA	1,155,405	(1,149,000)	0	6,405	0	6,405
Union City	340,951	(339,244)	0	1,707	0	1,707
WCCTA	155,106	(154,890)	0	216	0	216
SUBTOTAL	12,288,750	(9,455,073)	0	2,833,678	0	2,833,678
Regional Paratransit						
Alameda	635,953	s	0	848	0	848
Contra Costa	344,514	(344,169)	0	345	0	345
Marin	86,811	(86,744)	0	67	0	67
Napa	70,449	(70,350)	0	99	0	99
San Francisco	504,602	(503,904)	0	698	0	698
San Mateo	250,492	0	0	250,492	0	250,492
Santa Clara	106,910	(106,910)	0	0	0	0
Solano	1,201,490	(526,439)	0	675,051	0	675,051
Sonoma	290,864	(243,549)	0	47,315	0	47,315
SUBTOTAL	3,492,086	(2,517,170)	0	974,915	0	974,915
Lifeline						
Alameda	3,843,413	(1,727,256)	0	2,116,157	0	2,116,157
Contra Costa	2,166,351	(1,021,204)	0	1,145,147	0	1,145,147
Marin	389,335	(25,837)	0	363,498	0	363,498
Napa	305,889	0	0	305,889	0	305,889
San Francisco	2,039,429	(1,098,050)	0	941,379	0	941,379
San Mateo	1,749,177	0	0	1,749,177	0	1,749,177
Santa Clara	8,242,789	0	0	8,242,789	0	8,242,789
Solano	1,056,779	(460,133)	0	596,646	0	596,646
Sonoma	1,171,693	(367,341)	0	804,352	0	804,352
MTC Mean-Based Discount Project	713,054	0	0	713,054	0	713,054
JARC Funding Restoration ⁵	400,668	(60,000)	0	340,668	0	340,668
Participatory Budgeting Pilot	1,003,435	0	0	1,003,435	0	1,003,435
Reserve for a Means-Based Transit Fare	5,910,243	0	0	5,910,243	0	5,910,243
SUBTOTAL	28,992,255	(4,759,821)	0	24,232,434	0	24,232,434
MTC Regional Coordination Program⁶		0	0	0	0	0
BART to Warm Springs	1,682	(1,682)	0	0	0	0
SamTrans	40,561	0	0	40,561	0	40,561
GRAND TOTAL	\$44,815,334	(\$16,733,749)	\$0	\$28,081,588	\$0	\$28,081,588

1. Balance as of 6/30/18 is from the MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 1/31/19.

3. The projected carryover as of 6/30/2019 does not include interest accrued in FY 2018-19. All apportionment jurisdictions must spend or request to transfer all fund balances by June 30, 2019.

4. FY 2018-19 and FY 2019-20 revenue is distributed through MTC Resolution 4321, adopted in February 2018. See following page for details.

5. Includes 2/26/14 Commission action to re-assign \$1.1 million in FY 2014-15 Lifeline funds, and re-assigning \$693,696 of MTC's Means-Based Discount Project balance.

6. See Regional Program on following page for details from FY 2018-19 onwards.

**FY 2019-20 FUND ESTIMATE
STATE TRANSIT ASSISTANCE
POPULATION-BASED FUNDS (PUC 99313) - FY 2018-19 ONWARDS**

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FY2018-19 STA Revenue Estimate		FY2019-20 STA Revenue Estimate				
1. State Estimate (Aug, 18)	\$64,770,585	4. Projected Carryover (Aug, 19)	\$31,765,877			
2. Actual Revenue (Aug, 19)		5. State Estimate ⁴ (Jan, 19)	\$75,416,824			
3. Revenue Adjustment (Lines 2-1)		6. Total Funds Available (Lines 4+5)	\$107,182,701			
STA POPULATION-BASED COUNTY BLOCK GRANT AND REGIONAL PROGRAM APPORTIONMENT						
Column	A	C	D	E=Sum(A:D)	F	G=Sum(E:F)
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Apportionment Jurisdictions	Balance (w/interest) ¹	Outstanding Commitments ²	Revenue Estimate	Projected Carryover ³	Revenue Estimate ⁴	Available For Allocation
County Block Grant ⁵						
Alameda	0	(7,568,311)	7,973,449	405,138	9,300,688	9,705,826
Contra Costa	0	(10,005,669)	10,005,668	(1)	11,671,183	11,671,182
Marin	0	(2,114,242)	2,573,954	459,712	3,002,408	3,462,120
Napa	0	(1,313,035)	1,574,493	261,458	1,836,579	2,098,037
San Francisco	0	0	3,813,938	3,813,938	4,448,795	8,262,733
San Mateo	0	0	2,283,503	2,283,503	2,663,609	4,947,112
Santa Clara	0	(6,356,355)	6,356,355	0	7,414,416	7,414,416
Solano	0	0	4,737,026	4,737,026	5,525,538	10,262,564
Sonoma	0	(5,278,947)	5,787,690	508,743	6,751,093	7,259,836
SUBTOTAL	0	(32,636,559)	45,106,076	12,469,517	52,614,308	65,083,825
Regional Program ⁶	10,830,779	(11,612,068)	19,331,176	18,549,887	22,548,989	41,098,876
Transit Emergency Service Contingency Fund ⁷	413,140	s	333,333	746,473	253,527	1,000,000
GRAND TOTAL	\$11,243,919	(\$44,248,627)	\$64,770,585	\$31,765,877	\$75,416,824	\$107,182,701

1. Balance as of 6/30/18 is from MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 1/31/19.

3. The projected carryover as of 6/30/2019 does not include interest accrued in FY 2018-19.

4. FY2019-20 STA revenue generation based on January 31, 2019 State Controller's Office (SCO) forecast.

5. County Block Grant adopted through MTC Resolution 4321 in February 2018.

6. Regional Program adopted through MTC Resolution 4321 in February 2018. Balance and carryover amounts are from the MTC Regional Coordination Program established through MTC Resolution 3837, Revised. Funds are committed to Clipper® and other MTC Customer Service projects.

7. Funds for the Transit Emergency Service Contingency Fund are taken "off the top" from the STA Population-Based program.

**FY 2019-20 FUND ESTIMATE
BRIDGE TOLLS¹**

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BRIDGE TOLL APPORTIONMENT BY CATEGORY

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D=Sum(A:C)</i>	<i>E</i>	<i>F=D+E</i>
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Fund Source	Balance ²	Outstanding Commitments ³	Programming Amount ⁴	Projected Carryover	Programming Amount ⁴	Available for Allocation
MTC 2% Toll Revenues						
Ferry Capital	5,135,093	(4,421,771)	1,000,000	1,713,321	1,000,000	2,713,321
Bay Trail	20,201	(470,201)	450,000	0	450,000	450,000
Studies	685,600	(180,544)	0	505,055	0	505,055
SUBTOTAL	5,840,894	(5,072,516)	1,450,000	2,218,376	1,450,000	3,668,376
5% State General Fund Revenues						
Ferry	13,262,787	(8,575,998)	3,308,186	7,994,975	3,341,267	11,336,242
Bay Trail	43,271	(316,692)	273,421	0	273,421	273,421
SUBTOTAL	13,306,059	(8,892,690)	3,581,607	7,994,975	3,614,688	11,609,663

1. BATA Resolution 93 and MTC Resolution 3948 required BATA to make a payment to MTC equal to the estimated present value of specified fund transfers for the next 50 years (FY2010-11 through FY2059-60) and relieved BATA from making those fund transfers for that 50 year period. The MTC 2% Toll Revenues listed above, commencing in FY2010-11, are funded from this payment.
2. Balance as of 6/30/18 is from MTC FY2017-18 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
3. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 1/31/19
4. MTC Resolution 4015 states that annual funding levels are established and adjusted through the fund estimate for 2%, and 5% bridge toll revenues.

FY 2019-20 FUND ESTIMATE
AB1107 FUNDS
AB1107 IS TWENTY-FIVE PERCENT OF THE ONE-HALF CENT BART DISTRICT SALES TAX

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FY2018-19 AB1107 Revenue Estimate					FY2018-19 AB1107 Estimate				
1. Original MTC Estimate (Feb, 18)				\$86,536,800	4. Projected Carryover (Jun, 19)				\$0
2. Actual Revenue (Jun, 19)				\$93,552,924	5. MTC Estimate (Feb, 19)				\$91,000,000
3. Revenue Adjustment (Lines 2-1)				\$7,016,124	6. Total Funds Available (Lines 4+5)				\$91,000,000
AB1107 APPORTIONMENT BY OPERATOR									
Column	A	B	C=Sum(A:B)	D	E	F	G=Sum(A:F)	H	I=Sum(G:H)
	6/30/2018	FY2017-18	6/30/2018	FY2017-19	FY2018-19	FY2018-19	6/30/2019	FY2019-20	FY2019-20
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) ¹	Outstanding Commitments ²	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
AC Transit	0	0	0	(46,776,462)	43,268,400	3,508,062	0	45,500,000	45,500,000
SFMTA	0	0	0	(46,776,462)	43,268,400	3,508,062	0	45,500,000	45,500,000
TOTAL	\$0	\$0	\$0	(\$93,552,924)	\$86,536,800	\$7,016,124	\$0	\$91,000,000	\$91,000,000

1. Balance as of 6/30/18 is from MTC FY2017-8 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/18, and FY2018-19 allocations as of 6/30/19.

**FY 2019-20 FUND ESTIMATE
TDA & STA FUND SUBAPPORTIONMENT FOR ALAMEDA & CONTRA COSTA COUNTIES
& IMPLEMENTATION OF OPERATOR AGREEMENTS**

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ARTICLE 4.5 SUBAPPORTIONMENT				
Apportionment Jurisdictions	Alameda Article 4.5		Contra Costa Article 4.5	
Total Available	\$4,672,074		\$2,438,714	
AC Transit	\$4,272,694		\$739,358	
LAVTA	\$159,008			
Pleasanton	\$84,625			
Union City	\$155,747			
CCCTA				
ECCTA			\$1,009,387	
WCCTA			\$529,158	
			\$160,812	
IMPLEMENTATION OF OPERATOR AGREEMENTS				
Apportionment of BART Funds to Implement Transit Coordination Program				
Apportionment Jurisdictions	Total Available Funds (TDA and STA) FY 2019-20			
CCCTA	\$861,895			
LAVTA	\$725,279			
ECCTA	\$2,802,042			
WCCTA	\$2,923,975			
Fund Source	Apportionment Jurisdictions	Claimant	Amount ¹	Program
Total Available BART STA Revenue-Based Funds			\$44,015,367	
STA Revenue-Based	BART	AC Transit	(459,611)	BART-AC Transit MOU Set-Aside ²
STA Revenue-Based	BART	CCCTA	(861,895)	BART Feeder Bus
STA Revenue-Based	BART	LAVTA	(619,414)	BART Feeder Bus
STA Revenue-Based	BART	ECCTA	(2,802,042)	BART Feeder Bus
STA Revenue-Based	BART	WCCTA	(2,601,185)	BART Feeder Bus
Total Payment			(7,344,147)	
Remaining BART STA Revenue-Based Funds			\$36,671,219	
Total Available BART TDA Article 4 Funds			\$428,655	
TDA Article 4	BART-Alameda	LAVTA	(105,865)	BART Feeder Bus
TDA Article 4	BART-Contra Costa	WCCTA	(322,790)	BART Feeder Bus
Total Payment			(428,655)	
Remaining BART TDA Article 4 Funds			\$0	
Total Available SamTrans STA Revenue-Based Funds			\$18,522,058	
STA Revenue-Based	SamTrans	BART	(801,024)	SFO Operating Expense
Total Payment			(801,024)	
Remaining SamTrans STA Revenue-Based Funds			\$17,721,034	
Total Available Union City TDA Article 4 Funds			\$10,476,592	
TDA Article 4	Union City	AC Transit	(116,699)	Union City service
Total Payment			(116,699)	
Remaining Union City TDA Article 4 Funds			\$10,359,893	

1. Amounts assigned to the claimants in this page will reduce the funds available for allocation in the corresponding apportionment jurisdictions by the same amounts.

2. MTC holds funds in accordance with the BART-AC Transit Memorandum of Understanding on feeder/transfer payments. Funds will be allocated to AC Transit in FY 2019-20.

**FY 2019-20 FUND ESTIMATE
STA SPILLOVER FUNDING AGREEMENT PER RESOLUTION 3814**

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PROPOSITION 1B TRANSIT FUNDING PROGRAM -- POPULATION BASED SPILLOVER DISTRIBUTION

Apportionment Category	MTC Resolution 3814	%	FY 2007-08	FY2009-18	MTC Res-3833	MTC Res-3925	FY2019-20
	Spillover Payment Schedule		Spillover Distribution	Spillover Distribution	(RM 1 Funding)	(STP/CMAQ Funding)	Remaining
Lifeline	10,000,000	16%	1,028,413	0	0	8,971,587	0
Small Operators / North Counties	3,000,000	5%	308,524	0	0	2,691,476	0
BART to Warm Springs	3,000,000	5%	308,524	0	0	0	0
eBART	3,000,000	5%	327,726	0	2,672,274	0	0
SamTrans	43,000,000	69%	4,422,174	0	0	19,288,913	19,288,913
TOTAL	\$62,000,000	100%	\$6,395,361	\$0	\$0	\$30,951,976	\$19,288,914

FY 2019-20 FUND ESTIMATE
CAP AND TRADE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)

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FY2018-19 LCTOP Revenue Estimate¹		FY2019-20 LCTOP Revenue Estimate²	
1. Statewide Appropriation (Jan, 19)	\$147,041,725	5. Estimated Statewide Appropriation (Jan, 19)	\$120,513,000
2. MTC Region Revenue-Based Funding	\$39,704,139	6. Estimated MTC Region Revenue-Based Funding	\$32,540,866
3. MTC Region Population-Based Funding	\$14,354,475	7. Estimated MTC Region Population-Based Funding	\$11,764,693
4. Total MTC Region Funds	\$54,058,614	8. Estimated Total MTC Region Funds	\$44,305,559

1. The FY 2018-19 LCTOP revenue generation is based on State Controller's Office letter dated January 31, 2019
2. The FY 2019-20 LCTOP revenue generation is based on the \$179 million estimated in the FY 2019-20 State Budget.

**FY 2019-20 FUND ESTIMATE
STATE OF GOOD REPAIR (SGR) PROGRAM
REVENUE-BASED FUNDS**

Attachment A
Res No. 4360
Page 19 of 20
7/24/2019

FY2018-19 SGR Revenue-Based Revenue Estimate			FY2019-20 SGR Revenue-Based Revenue Estimate			
1. State Estimate (Aug, 18)	\$28,352,052		4. Projected Carryover (Aug, 19)	\$28,440,669		
2. Actual Revenue (Aug, 19)			5. State Estimate (Jan, 19)	\$29,060,854		
3. Revenue Adjustment (Lines 2-1)	\$0		6. Total Funds Available (Lines 4+5)	\$57,501,523		
STATE OF GOOD REPAIR PROGRAM REVENUE-BASED APPORTIONMENT BY OPERATOR						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Apportionment Jurisdictions	Balance (w/interest)	Outstanding Commitments	Revenue Estimate ¹	Projected Carryover	Revenue Estimate ²	Available For Allocation
ACCMA - Corresponding to ACE	66	0	40,599	40,665	41,614	82,279
Caltrain	4,042	0	1,249,724	1,253,767	1,280,968	2,534,735
CCCTA	386	0	115,322	115,709	118,205	233,914
City of Dixon	3	0	1,055	1,058	1,081	2,139
ECCTA	179	0	53,984	54,163	55,334	109,497
City of Fairfield	86	0	34,999	35,085	35,874	70,959
GGBHTD	1,877	0	1,249,984	1,251,861	1,281,234	2,533,095
LAVTA	181	0	51,029	51,210	52,305	103,515
Marin Transit	666	0	211,538	212,204	216,827	429,031
NVTA	44	0	16,396	16,440	16,806	33,246
City of Petaluma	21	0	6,194	6,215	6,349	12,564
City of Rio Vista	1	0	348	348	356	704
SamTrans	3,981	0	s	1,230,250	1,256,926	2,487,176
SMART	499	0	256,422	256,921	262,832	519,753
City of Santa Rosa	94	0	25,425	25,519	26,061	51,580
Solano County Transit	191	0	54,900	55,091	56,273	111,364
Sonoma County Transit	111	0	34,157	34,268	35,011	69,279
City of Union City	56	0	16,513	16,569	16,926	33,495
Vacaville City Coach	15	0	3,982	3,996	4,081	8,077
VTA	14,059	0	4,471,201	4,485,260	4,582,981	9,068,241
VTA - Corresponding to ACE	51	0	31,362	31,413	32,146	63,559
WCCTA	232	0	71,761	71,993	73,555	145,548
WETA	900	0	301,312	302,212	308,845	611,057
SUBTOTAL	27,739	0	9,524,477	9,552,217	9,762,589	19,314,806
AC Transit	10,225	0	3,053,265	3,063,490	3,129,596	6,193,086
BART	19,811	0	5,980,007	5,999,818	6,129,507	12,129,325
SFMTA	30,840	0	9,794,303	9,825,144	10,039,161	19,864,305
SUBTOTAL	60,877	0	18,827,575	18,888,452	19,298,265	38,186,717
GRAND TOTAL	\$88,616	\$0	\$28,352,052	\$28,440,669	\$29,060,854	\$57,501,523

1. The State of Good Repair Program was established through SB 1 in April 2017. The program commenced with FY 2017-18.

2. FY2019-20 State of Good Repair Program revenue generation is based on January 31, 2019 estimates from the State Controller's Office (SCO).

**FY 2019-20 FUND ESTIMATE
STATE OF GOOD REPAIR (SGR) PROGRAM
POPULATION-BASED FUNDS**

Attachment A
Res No. 4360
Page 20 of 20
7/24/2019

FY2019-20 SGR Population-Based Revenue Estimate		FY2019-20 SGR Population-Based Revenue Estimate				
1. State Estimate (Aug, 18)	\$10,250,287	4. Projected Carryover (Aug, 19)				\$9,817,223
2. Actual Revenue (Aug, 19)		5. State Estimate (Jan, 19)				\$10,506,544
3. Revenue Adjustment (Lines 2-1)		6. Total Funds Available (Lines 4+5)				\$20,323,767
SGR PROGRAM POPULATION-BASED APPORTIONMENT						
Column	A	B	C	D=Sum(A:C)	E	F=Sum(D:E)
	6/30/2018	FY2017-19	FY2018-19	6/30/2019	FY2019-20	Total
Apportionment	Balance (w/interest)	Outstanding Commitments	Revenue Estimate ¹	Projected Carryover	Revenue Estimate ²	Available For Allocation
Clipper®/Clipper® 2.0 ³	66,936	(500,000)	10,250,287	9,817,223	10,506,544	20,323,767
GRAND TOTAL	\$66,936	(\$500,000)	\$10,250,287	\$9,817,223	\$10,506,544	\$20,323,767

1. FY2018-19 State of Good Repair Program revenue generation is based on August 1, 2018 estimates from the State Controller's Office (SCO).

2. FY2019-20 State of Good Repair Program revenue generation is based on January 31, 2019 estimates from the State Controller's Office (SCO).

3. FY2018-19 and FY2019-20 State of Good Repair Program funds are shown here according to the policy in MTC Resolution 4321.

Date: June 26, 2019
W.I.: 1255
Referred by: PAC
Revised: 07/24/19-C

ABSTRACT

Resolution No. 4379, Revised

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2019-20.

This resolution allocates funds to MTC, Transbay Joint Powers Authority, and Water Emergency Transportation Authority (WETA).

This resolution was revised on July 24, 2019 to allocate funds to AC Transit and San Francisco Municipal Transportation Agency (SFMTA).

Discussion of the allocations made under this resolution are contained in the MTC Programming and Allocations Committee Summary Sheets dated June 12, 2019, and July 10, 2019.

Date: June 26, 2019
W.I.: 1255
Referred by: PAC

Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4379

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

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

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

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

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

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

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

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

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

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

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

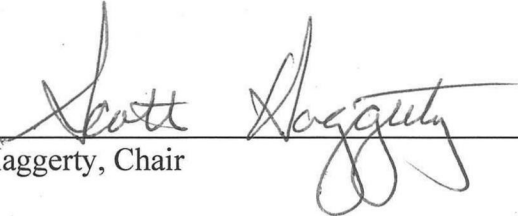
RESOLVED, that MTC approves the allocation of RM2 funds in accordance with Attachment A; and be it further

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

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

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

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into
by the Metropolitan Transportation
Commission at the regular meeting
of the Commission held in San Francisco,
California, on June 26, 2019.

FY 2019-20 ALLOCATION OF REGIONAL MEASURE 2 FUNDS
FOR TRANSIT OPERATIONS AND PLANNING

Funding for each route is limited to the amount identified in the FY2019-20 RM2 Operating Program (MTC Resolution 4378). All routes are required to meet performance standards identified in MTC's RM2 Policies and Procedures (MTC Resolution 3636) except for WETA's South San Francisco Ferry service which was given seven years (until FY 2018-19) to meet RM2 standards when MTC Resolution No. 4228 was adopted on June 22, 2016. Its performance in FY2018-19 will be evaluated in FY2019-20,

Claimant	Project Description	Allocation Amount	Allocation Code	Approval Date	Project Number	Farebox Requirement
WETA	Planning and Administration	3,000,000	01	06/26/19	11	n.a.
WETA	Ferry Operations	16,500,000	02	06/26/19	6	40% Peak service, 30% All Day Service
TJPA	Transbay Transit Center	3,000,000	03	06/26/19	13	n.a.
MTC	Clipper	2,000,000	04	06/26/19	12	n.a.
Total		24,500,000				

Date: June 26, 2019
W.I.: 1514
Referred by: PAC
Revised: 07/24/19-C

ABSTRACT

Resolution No. 4380, Revised

This resolution approves the allocation of fiscal year 2019-20 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution allocates funds to County Connection (CCCTA) and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on July 24, 2019 to allocate funds to AC Transit, Eastern Contra County Transit District (ECCTA, aka Tri Delta Transit), Livermore Amador Valley Transit Authority (LAVTA), San Francisco Municipal Transportation Agency (SFMTA), Sonoma County Transit, and WestCAT (WCCTA).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 12, 2019 and July 10, 2019.

Date: June 26, 2019
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2019-20 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4380

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 2019-20 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 2019-20 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

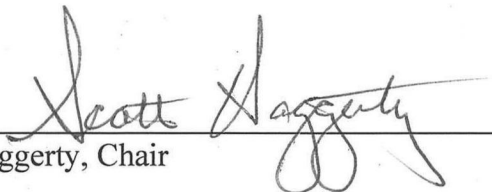
RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2019-20 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 3866, Revised, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on June 26, 2019.

Date: June 26, 2019
 Referred by: PAC
 Revised: 07/24/19-C

Attachment A
 MTC Resolution No. 4380
 Page 1 of 1

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
 DURING FISCAL YEAR 2019-20

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	5,533,550	01	06/26/19	Santa Clara County	
CCCTA	Paratransit Operations	1,056,604	02	06/26/19	Contra Costa County	
AC Transit	Paratransit Operations	4,272,694	06	07/24/19	Alameda County	
	Subtotal	10,862,848				
5802 - 99260A Transit - Operations						
VTA	Transit Operations	105,137,458	03	06/26/19	VTA	
CCCTA	Transit Operations	17,880,362	04	06/26/19	CCCTA	
AC Transit	Transit Operations	56,458,618	07	07/24/19	AC Transit Alameda D1	
AC Transit	Transit Operations	15,134,949	08	07/24/19	AC Transit Alameda D2	
AC Transit	Transit Operations	7,960,285	09	07/24/19	AC Transit Contra Costa	
LAVTA	Transit Operations	9,692,625	10	07/24/19	LAVTA	
WCCTA	Transit Operations	2,942,039	11	07/24/19	WCCTA	
Sonoma County	Transit Operations	6,946,567	12	07/24/19	Sonoma County	
Sonoma County	Transit Operations	234,607	12	07/24/19	Petaluma	
SFMTA	Transit Operations	47,403,407	13	07/24/19	San Francisco County	1
SFMTA	Transit Operations	2,494,916	14	07/24/19	SFMTA	
ECCTA	Transit Operations	8,403,327	15	07/24/19	ECCTA	
	Subtotal	280,689,160				
5803 - 99260A Transit - Capital						
CCCTA	Transit Capital	2,584,265	05	06/26/19	CCCTA	
LAVTA	Transit Capital	1,274,000	16	07/24/19	LAVTA	
WCCTA	Transit Capital	1,202,564	17	07/24/19	WCCTA	
	Subtotal	5,060,829				
5807 - 99400C General Public - Operating						
Sonoma County	Transit Operating	2,118,981	18	07/24/19	Sonoma County	
Sonoma County	Transit Operating	46,291	18	07/24/19	Petaluma	
	Subtotal	2,165,272				
	TOTAL	298,778,109				

Note:

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

Date: June 26, 2019
Referred by: PAC

Attachment B
Resolution No. 4380
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2019-20
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 each claimant has submitted to MTC as part of its application for TDA Article 4 funds a budget indicating compliance with the 50% expenditure limitation of Public Utilities Code § 99268, or 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 so attested to by the claimant's chief financial officer; 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 funds 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 has submitted a budget indicating compliance with the 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 so attested to by the claimant's chief financial officer; 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 each claimant has submitted to MTC as part of its application for TDA Article 8 funds a budget indicating compliance with the 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 so attested to by the claimant's chief financial officer; 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 26, 2019
W.I.: 1514
Referred by: PAC
Revised: 07/24/19-C

ABSTRACT

Resolution No. 4381, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2019-20.

This resolution allocates funds to County Connection (CCCTA), MTC, and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on July 24, 2019 to allocate funds to AC Transit, Eastern Contra County Transit District (ECCTA, aka Tri Delta Transit), Livermore Amador Valley Transit Authority (LAVTA), San Francisco Municipal Transportation Agency (SFMTA), Sonoma County Transit, and WestCAT (WCCTA).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 12, 2019 and July 10, 2019.

Date: June 26, 2019
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2019-20 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4381

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 2019-20 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 2019-20 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 4355, 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

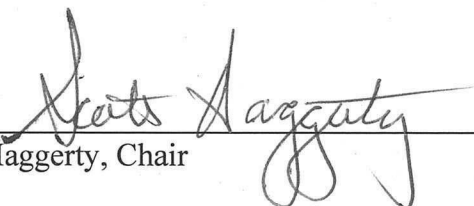
RESOLVED, that MTC approves the allocation of fiscal year 2019-20 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution;

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



Scott Haggerty, Chair

The above resolution was approved by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in San Francisco, California, on June 26, 2019.

ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
DURING FISCAL YEAR 2019-20

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

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area
5820 - 6730A Operations - Population-based Lifeline					
AC Transit	Cycle 5: Preserve service in CoC	1,109,174	05	07/24/19	Alameda County
	Subtotal	1,109,174			
5820 - 6730A Operating Costs - Revenue-based					
VTA	Transit Operations	32,900,898	01	06/26/19	VTA
AC Transit	Transit Operations	20,253,875	06	07/24/19	AC Transit
WCCTA	Transit Operations	2,601,185	07	07/24/19	BART
SFMTA	Transit Operations	64,970,651	08	07/24/19	SFMTA
ECCTA	Transit Operations	2,802,042	09	07/24/19	BART
	Subtotal	123,528,651			
5820 - 6730A Operating Costs - Population-based MTC Regional Coordination					
MTC	Clipper Operations	7,100,000	02	06/26/19	MTC
	Subtotal	7,100,000			
5820 - 6730A Operating Costs - County Block Grant					
CCCTA	Transit Operations	5,513,876	03	06/26/19	Contra Costa County
AC Transit	Transit Operations	5,331,184		07/24/19	Alameda County
AC Transit	Transit Operations	1,517,019		07/24/19	Contra Costa County
LAVTA	Transit Operations	1,834,900		07/24/19	Alameda County
Sonoma County	Transit Operations	2,133,337		07/24/19	Sonoma County
ECCTA	Transit Operations	3,167,597		07/24/19	Contra Costa County
SFMTA	Transit Operations	1,603,814		07/24/19	SFMTA
	Subtotal	21,101,727			
5822 - 6731C Paratransit - Operating - County Block Grant					
VTA	Transit Operations	7,414,416	04	06/26/19	Santa Clara County
	Subtotal	7,414,416			
	TOTAL	160,253,968			

Date: June 26, 2019
Referred by: PAC

Attachment B
Resolution No. 4381
Page 1 of 2

ALLOCATION OF FISCAL YEAR 2019-20 STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

FINDINGS

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

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

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

Date: July 24, 2019
WI: 1514
Referred by: PAC

ABSTRACT

Resolution No. 4382

This resolution approves the allocation of fiscal year 2019-20 AB 1107 half-cent sales tax funds to AC Transit and San Francisco Municipal Transportation Agency (SFMTA).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheet dated July 10, 2019.

Date: July 24, 2019
Referred by: PAC

Re: Allocation of Fiscal Year 2019-20 “AB 1107” Half-Cent Sales Tax Funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4382

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, Public Utilities Code Section 29142.2(b) provides that, after deductions for certain administrative expenses, twenty-five percent (25%) of the proceeds from the one-half cent transactions and use tax collected within the San Francisco Bay Area Rapid Transit District (hereinafter referred as “AB 1107” funds), shall, on the basis of regional priorities established by MTC, be allocated by MTC to the City and County of San Francisco for the San Francisco Municipal Transportation Agency (“SFMTA”) and to the Alameda-Contra Costa Transit District (“AC Transit”), for transit services; and

WHEREAS, SFMTA and/or AC Transit has submitted a request for the allocation of fiscal year 2019-20 AB 1107 funds for transit service projects and purposes in accordance with the regional priorities established by MTC; 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 2019-20 allocations requested by SFMTA and/or AC Transit, 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 findings pertaining to the allocations made under this resolution to SFMTA and/or AC Transit, as the case may be; and

WHEREAS, SFMTA and/or AC Transit has certified that its 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 finds that the projects and purposes as listed and recorded in Attachment A are in conformance with MTC's Regional Transportation Plan; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2019-20 funds under this resolution to SFMTA and/or AC Transit, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A.

RESOLVED, that all AB1107 allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on July 24, 2019.

Date: July 24, 2019
Referred by: PAC

Attachment A
MTC Resolution No. 4382
Page 1 of 1

ALLOCATION OF AB 1107 FUNDS
DURING FISCAL YEAR 2019-20

All AB 1107 allocations are subject to continued compliance with MTC Resolution 3866,
the Transit Coordination Implementation Plan.

Claimant	Project Description	Fare Ratio Plus Local Support Percentage		Allocation Amount	Alloc. Code	Approval Date
		FY 17-18	FY 19-20			
SFMTA	Transit Operations	75.7%	74.1%	50% of deposits to MTC's AB 1107 account.	1	07/24/19
AC Transit	Transit Operations	59.4%	58.7%	50% of deposits to MTC's AB 1107 account.	2	07/24/19

Date: July 24, 2019
Referred by: PAC

Attachment B
Resolution No. 4382
Page 1 of 1

ALLOCATION OF FISCAL YEAR 2019-20
AB 1107 FUNDS

FINDINGS

The following findings pertain to the allocation of funds under this resolution to AC Transit and/or SFMTA, as the case may be.

	<i>AC Transit</i>	<i>SFMTA</i>
1. In accordance with Public Utilities Code §29142.4(a), the operator is a participating member of the Clipper Executive Board and the Bay Area Partnership Board, established by MTC and which serve the function of a regional transit coordinating council.	<i>YES</i>	<i>YES</i>
2. In accordance with Public Utilities Code §29142(c), the operator has complied with the transit system standards established by MTC pursuant to Government Code §66517.5.	<i>YES</i>	<i>YES</i>
3. In accordance with Public Utilities Code § 29142.5, MTC may consider local support revenues in excess of the operator's base amount as fare revenues, as long as by doing so it will enable the operator to maintain or improve vital transit service within a coordinated fare structure. The audited financials submitted by the claimant for FY 2017-18 and included in the proposed FY 2019-20 budget demonstrate a fare ratio of greater than 33 percent when considering other local excess revenue.	<i>YES</i>	<i>YES</i>

Date: July 24, 2019
W.I.: 1511
Referred by: PAC

ABSTRACT

Resolution No. 4389

This resolution adopts the project allocations for the Caltrans transit State of Good Repair Program for the San Francisco Bay Area for Fiscal Year (FY) 2019-20.

This resolution includes the following attachment:

Attachment A – FY 2019-20 State of Good Repair Program Public Utilities Code § 99314
Project List

Further discussion of this action is contained in the Programming and Allocations Summary Sheet dated July 10, 2019.

Date: July 24, 2019
W.I.: 1511
Referred by: PAC

RE: Caltrans Transit State of Good Repair Program, FY 2019-20

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4389

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, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), known as the Road Repair and Accountability Act of 2017, establishes the State of Good Repair Program (SGR Program); and

WHEREAS, the SGR Program will provide approximately \$105 million annually to transit operators in California for eligible transit maintenance and capital projects; and

WHEREAS, Public Utilities Code § 99313 and 99314 provides for the allocation by the State Controller of SGR Program funds to MTC based on the ratio of the population of the area under MTC's jurisdiction to the total population of the State of California and based on each Bay Area operator's qualifying revenue, respectively; and

WHEREAS, the State Department of Transportation (Caltrans) is responsible for administering the SGR Program; and

WHEREAS, Caltrans has developed guidelines for the purpose of administering and distributing SGR Program funds to eligible project sponsors; and

WHEREAS, Caltrans' guidelines for the Fiscal Year 2019-20 SGR Program require Regional Transportation Planning Agencies (RTPAs) like MTC to approve and submit a regional project list for all Public Utilities Code § 99314 funds to be allocated to operators in the Bay Area; and

WHEREAS, staff has prepared a SGR Program Public Utilities Code § 99314 funding allocation request list, Attachment A, for submittal to Caltrans, said attachment attached hereto and incorporated herein as though set forth at length; now, therefore, be it

RESOLVED, that MTC adopts the Fiscal Year 2019-20 SGR Program Public Utilities Code § 99314 funding allocation request list, attached hereto as Attachment A; and, be it further

RESOLVED, that MTC agrees to comply with all conditions and requirements set forth in the applicable statutes, regulations, guidelines, for all SGR Program funded projects; and, be it further

RESOLVED, that MTC hereby authorizes the submittal of the SGR Program Public Utilities Code § 99314 funding allocation request list, attached hereto as Attachment A; and, be it further

RESOLVED, that should the final Fiscal Year 2019-20 amount differ from the State Controller's Office estimate, any amount above or below the estimate will be allocated to the projects listed in Attachment A; and, be it further

RESOLVED, that the Executive Director is authorized to make minor changes to Attachment A to conform to sponsor requests, and Caltrans and State Controller's actions.

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 San Francisco, California, on July 24, 2019.

Fiscal Year 2019-20 State of Good Repair Program Public Utilities Code § 99314 Project List			
Agency	Project Title	Amount	Notes
Alameda-Contra Costa Transit District (AC Transit)	East Bay Bus Rapid Transit (BRT)	\$1,329,596	
Alameda-Contra Costa Transit District (AC Transit)	Non-revenue vehicles	\$1,000,000	
Alameda-Contra Costa Transit District (AC Transit)	Portable lifts	\$300,000	
Alameda-Contra Costa Transit District (AC Transit)	Replace roof at Division 2	\$500,000	
ACE Train (Alameda County Apportionment)	Railcar Midlife Overhaul	\$41,614	
BART	At various BART stations maintain and renovate/rehabilitate existing elevators and escalators and security cameras	\$6,129,507	
Peninsula Corridor Joint Powers Board (Caltrain)	Systemwide Track Rehabilitation	\$920,000	Includes apportionments for Caltrain (\$1,280,968), VTA (\$4,582,981), and ACE - Corresponding to VTA (\$32,146). VTA notified MTC and Caltrain on April 9, 2019 that it was transferring all of its FY 2019-20 SGR Program 99314 funds to Caltrain.
Peninsula Corridor Joint Powers Board (Caltrain)	Bayshore Station Overpass	\$1,207,506	
Peninsula Corridor Joint Powers Board (Caltrain)	Central Equipment & Maintenance Facility State of Good Repair	\$474,200	
Peninsula Corridor Joint Powers Board (Caltrain)	Caltrain Network Infrastructure Refresh	\$342,494	
Peninsula Corridor Joint Powers Board (Caltrain)	F40 Locomotive State of Good Repair FY20	\$1,273,105	
Peninsula Corridor Joint Powers Board (Caltrain)	MP36 Locomotive State of Good Repair FY20	\$113,653	
Peninsula Corridor Joint Powers Board (Caltrain)	Stations State of Good Repair	\$150,000	
Peninsula Corridor Joint Powers Board (Caltrain)	Preventive Maintenance	\$1,415,137	
Central Contra Costa Transit Authority (County Connection)	ITS Security Maintenance	\$118,205	
City of Fairfield (FAST)	Corporation Yard Transit Fleet Electrification	\$35,874	
Golden Gate Bridge Highway and Transportation District	New Vessel Acquisition	\$1,281,234	
Livermore-Amador Valley Transit Authority (Wheels)	Bus Shelter and Stop Maintenance	\$52,305	
Marin County Transit District (Marin Transit)	Purchase 11 40 foot Hybrid Replacement Vehicles	\$216,827	
Napa County Transportation and Planning Agency	Vine Transit Bus Maintenance Facility	\$16,806	
City of Petaluma	Preventative Maintenance	\$6,349	
San Mateo County Transit District (SamTrans)	North and South Base Bus Parking Area Restriping	\$258,000	
San Mateo County Transit District (SamTrans)	North and South Base Bus Vacuum Replacement Design	\$150,000	
San Mateo County Transit District (SamTrans)	North Base Bus Washer Replacement	\$540,000	
San Mateo County Transit District (SamTrans)	South Base Bus Washer Walls Rehab	\$308,926	
City of Santa Rosa (Santa Rosa City Bus)	Preventive Maintenance of Fixed-Route Fleet	\$26,061	
City of San Francisco (SFMTA)	SFMTA Facilities SGR Project FY19-20	\$5,019,580	Preventative maintenance will occur at the following facilities: Kirkland Yard, Scott Garage, Flynn Yard, Presidio Yard, Wood Yard and the Cable Car Barn.

Fiscal Year 2019-20 State of Good Repair Program Public Utilities Code § 99314 Project List			
Agency	Project Title	Amount	Notes
City of San Francisco (SFMTA)	SFMTA Fixed Guideway SGR Project FY19-20	\$5,019,581	Projects will be focused on track switches and rail tracks at various locations on the fixed guideway network.
Sonoma-Marin Area Rail Transit District (SMART)	SMART Capital Spare Parts	\$262,832	
Solano County Transit (SolTrans)	Mid-Life Battery Refresh for Two Diesel-Hybrid Buses	\$61,791	Includes apportionments for SolTrans (\$56,273), Vacaville (\$4,081), Dixon (\$1,081) and Rio Vista (\$356). Vacaville, Dixon, and Rio Vista notified MTC and SolTrans that they wished to transfer all of their FY 2019-20 SGR Program 99314 funds to SolTrans.
County of Sonoma (Sonoma County Transit)	Sonoma County Transit Maintenance Facility Roof Rehabilitation	\$35,011	
Eastern Contra Costa Transit Authority (TriDelta Transit)	Maintenance Facility HVAC Unit Replacement	\$55,334	
City of Union City (Union City Transit)	Bus Stop Improvements	\$16,926	
Western Contra Costa Transit Authority (WestCAT)	Local Match for Purchase of Replacement Revenue Vehicles	\$73,555	
San Francisco Bay Area Water Emergency Transportation Authority (WETA)	Replacement Vessel for the M/V Bay Breeze	\$308,845	
TOTAL		\$29,060,854	

Fiscal Year 2019-20 State of Good Repair Program Public Utilities Code § 99313 Project List			
Agency	Project Title	Amount	Notes
Metropolitan Transportation Commission	Clipper/Next Generation Clipper System	\$10,506,544	
TOTAL		\$10,506,544	



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0696 **Version:** 1 **Name:**
Type: Resolution **Status:** Commission Approval
File created: 6/3/2019 **In control:** Programming and Allocations Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Resolution No. 4250, Revised. Allocation of \$2.3 million in Regional Measure 2 (RM2) funds for the Bay Bridge Forward suite of projects.

A request for an allocation of \$2.3 million in RM2 funds for the Commuter Parking Initiative project, part of the Bay Bridge Forward program.

Sponsors:

Indexes:

Code sections:

Attachments: [7c PAC 3c Reso-4250 Bay Bridge Forward Allocation.pdf](#)
[3c Reso-4250 Bay Bridge Forward Allocation.pdf](#)

Date	Ver.	Action By	Action	Result
7/10/2019	1	Programming and Allocations Committee		

Subject:

MTC Resolution No. 4250, Revised. Allocation of \$2.3 million in Regional Measure 2 (RM2) funds for the Bay Bridge Forward suite of projects.

A request for an allocation of \$2.3 million in RM2 funds for the Commuter Parking Initiative project, part of the Bay Bridge Forward program.

Presenter:

Kenneth Kao

Recommended Action:

Commission Approval

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 10, 2019

Agenda Item 3c

MTC Resolution No. 4250, Revised

Subject: Allocation of \$2.3 million in Regional Measure 2 (RM2) funds to MTC for Commuter Parking Initiative project, part of Bay Bridge Forward.

Background: In July 2016, the Commission approved the One Bay Area Grant (OBAG 2) framework. This framework includes \$40 million for Bay Bridge Forward (BBF), a suite of projects that aims to increase person throughput within the Bay Bridge corridor. Of the \$40 million, \$21 million comes from RM2 funds. This month, MTC's BBF team requests an allocation of RM2 funds for the Commuter Parking Initiative project, summarized in the table below.

Table 1: July Allocation Summary

BBF Sub-Element	Previous RM2 Allocations	Current (July) RM2 Request	Total RM2 Allocations
Commuter Parking	\$3,117,000	\$2,300,000	\$5,417,000

Commuter Parking Initiative

MTC has allocated \$3.1 million in RM2 funds to-date to construct three commuter parking lots at I-880/Fruitvale Avenue and I-880/High Street in the City of Oakland, and I-80/Buchanan Street in the City of Albany.

During construction, the contractor experienced increased costs due to unforeseen field conditions. Further, the BBF team expects increased costs to operate and maintain the commuter parking lots once open. The BBF team requests an additional \$2.3 million in RM2 funds to cover the cost increase and to replenish the project contingencies. These funds will be redirected from other BBF program elements, as described below and in Table 2. Since RM2 capital funds may not be used for ongoing operations and maintenance, MTC will use other funds for non-RM2 eligible components.

The contract approval for the capital increase is on the July 12, 2019 Operations Committee agenda; the operation and maintenance contract approval is expected to be on the September 13, 2019 Operations Committee agenda. The funding actions included in this item are conditioned upon Commission approval of both contracts; funds would be rescinded should one or both contract fail to be approved.

Staff expects the lots to open late 2019.

BBF Program Funding Updates

MTC has \$21 million in RM2 funds programmed to the BBF suite of projects. Over the last few months, the BBF team re-examined its priorities for each of the BBF sub-elements. Based on this re-examination, and to accommodate the unanticipated Commuter Parking Initiative project cost increase, staff proposes to update BBF's RM2 programming as identified below.

- West Grand HOV/Bus-Only Lane. Staff proposes increasing programming by \$1.5 million to augment funding for Phase 2, which would extend the

HOV/Bus-Only Lane on the West Grand approach to the Bay Bridge toward San Francisco.

- Sterling Street and Integrated Bridge Corridor Projects. Staff proposes to reduce programming by \$3.8 million and re-examine solutions to maximize person throughput at this ramp to the lower deck of the Bay Bridge. This subproject also includes pilot projects such as automated vehicle occupancy detection and intelligent transportation system (ITS) elements.
- Casual Carpool. Staff redirected the initial \$1 million programming in September 2018 to an earlier cost increase on the Commuter Parking project. Staff deleted the casual carpool sub-element due to lack of interest from jurisdictions to formalize casual carpool.
- Commuter Parking. Staff requests an increase of \$2.3 million due to increased costs as discussed in this memo.

A summary of the proposed funding split among the sub-elements is listed in Table 2.


Table 2: Bay Bridge Forward RM2 Programming Summary

BBF Sub-Element	Current Programmed	Proposed Change	Proposed Programming
West Grand HOV/Bus-Only Lane	\$5,879,000	+\$1,500,000	\$7,379,000
Sterling Street and Integrated Bridge Corridor Projects	\$10,633,000	-\$3,800,000	\$6,833,000
Casual Carpool	\$0	\$-	\$0
Commuter Parking	\$3,117,000	+\$2,300,000	\$5,788,000
Commuter Parking (Environmental)	\$371,000	\$-	
Flexible On-Demand Transit	\$1,000,000	\$-	\$1,000,000
Total	\$21,000,000	\$0	\$21,000,000

Issues: Since RM2 capital funds may not be used for ongoing operations and maintenance, the BBF team will use other funds for any non-RM2 eligible Commuter Parking project components.

Recommendation: Refer MTC Resolution No. 4250, Revised, to the Commission for approval.

Attachments: Map of Bay Bridge Forward Projects
MTC Resolution No. 4250, Revised


Alix Bockelman

Operational

1

2

3

4

West Grand HOV/Bus Only Lane

Sterling St On-Ramp Express Lane

~~Casual Carpooling~~ Project Canceled

Integrated Bridge Corridor

Cost (\$M)*

\$20

Transit Core

5

6

7

8

9

Higher-Capacity/Increased Express Bus Service

Pilot Express Bus Routes

Transit Signal Priority

Commuter Parking

Higher Frequency Ferry Service

\$19

Shared Mobility

10

11

Flexible, On-Demand Transit

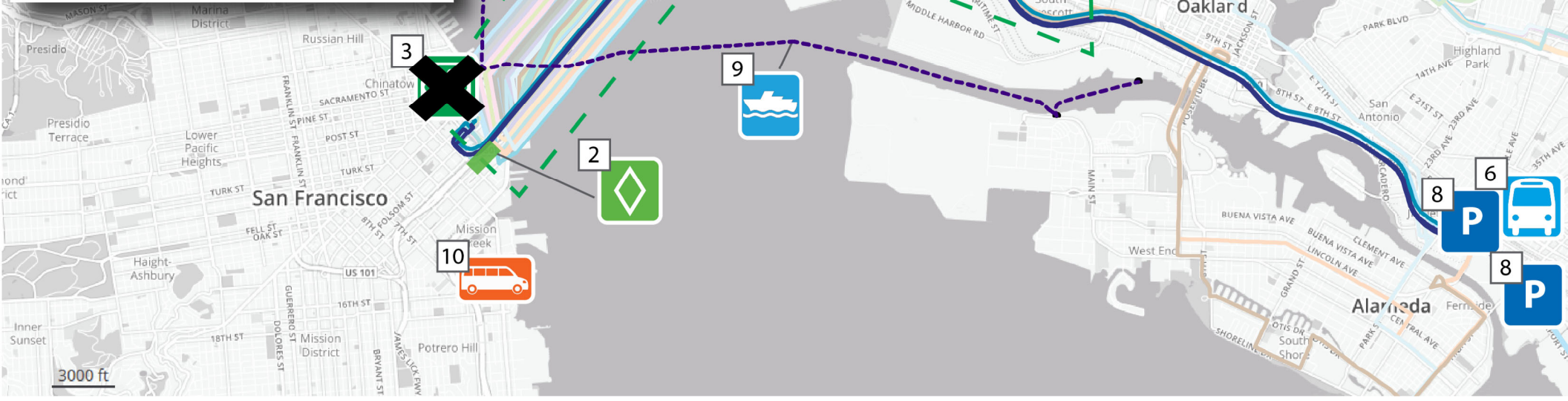
Shared Mobility

\$1

Total: \$40 M

Existing Transbay Routes

*Preliminary estimate subject to further refinement



Date: December 21, 2016
W.I.: 1255
Referred by: PAC
Revised: 05/24/17-DA 06/28/17-C
12/20/17-C 02/28/18-DA
06/27/18-DA 07/25/18-C
09/26/18-DA 07/24/19-C

ABSTRACT

MTC Resolution No. 4250, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Bay Bridge Forward project, an element of the Regional Express Bus South program, sponsored by AC Transit, Alameda County Transportation Commission, the Dumbarton Bridge Regional Operations Consortium member agencies, and the Metropolitan Transportation Commission.

This resolution includes the following attachments:

Attachment A - Allocation Summary Sheet

Attachment B - Project Specific Conditions for Allocation Approval

Attachment C - MTC staff's review of the Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution allocates \$2.3 million in RM2 funds to the planning, environmental, and preliminary engineering phases of the Bay Bridge Forward project.

This resolution was amended via delegated authority on May 24, 2017 to allocate \$730,000 in RM2 funds for the study of High-Occupancy Vehicle Enforcement Pilot, and to allocate \$200,000 in RM2 funds for the final design of the West Grand HOV/Bus Only Lane project. Both are part of the Bay Bridge Forward program.

This resolution was amended via Commission Action on June 28, 2017 to allocate \$750,000 in RM2 funds for the Flexible Transit Pilot, part of the Bay Bridge Forward program.

This resolution was amended via Commission Action on December 20, 2017 to allocate \$2.5 million in RM2 funds for the construction of the West Grand HOV/Bus-Only Lane (Phase 1), and \$168,000 for the final design phase of the Commuter Parking project, both part of the Bay Bridge Forward program. Allocation for the commuter parking project is conditioned on approval of the environmental document, expected in early December.

This resolution was amended via delegated authority on February 28, 2018 to allocate \$417,000 in RM2 funds for the final design of the Commuter Parking project, \$200,000 for the study of Vehicle Occupancy Detection pilot, and \$100,000 for the study of High-Occupancy Vehicle Enforcement pilot, all of which are part of the Bay Bridge Forward program.

This resolution was amended via delegated authority on June 27, 2018 to allocate \$880,000 in RM2 funds for the construction of the Commuter Parking project, and \$120,000 in additional RM2 funds for the construction of the West Grand HOV/Bus-Only Lane (Phase 1) project, both part of the Bay Bridge Forward program.

This resolution was amended via Commission action on July 25, 2018 to allocate \$700,000 in additional RM2 funds for the construction of the West Grand HOV/Bus-Only Lane (Phase 1) project, \$310,000 for the study phase of the CHP Enforcement Pilot, and \$1,250,000 for the environmental and project study phases of various Bay Bridge Forward projects, all of which are part of the Bay Bridge Forward program.

This resolution was amended via delegated authority on September 26, 2018 to allocate \$1 million in additional RM2 funds for the construction of the Commuter Parking project, part of the Bay Bridge Forward program.

This resolution was amended via Commission action on July 24, 2019 to allocate \$2.3 million in additional RM2 funds for the construction of the Commuter Parking project, part of the Bay Bridge Forward program.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated December 14, 2016, June 14, 2017, December 13, 2017, July 11, 2018, and July 10, 2019.

Date: December 21, 2016
W.I.: 1255
Referred by: PAC

Re: Approval of Allocation of Regional Measure 2 Funds for the Bay Bridge Forward Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4250

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

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

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

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

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

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

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

WHEREAS, the Alameda Contra Costa Transit (AC Transit), Alameda County Transportation Commission, the Dumbarton Bridge Regional Operations Consortium member agencies, and MTC are

the project co-sponsors, and MTC will be the lead project sponsor and implementing agency for the Bay Bridge Forward project; and

WHEREAS, MTC has submitted a request for the allocation of RM 2 funds for the Bay Bridge Forward project; and

WHEREAS, the Bay Bridge Forward project is an element of the Regional Measure 2 Express Bus South program, identified as capital project number 29 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c)(29); and

WHEREAS, the project sponsor has submitted an Initial Project Report (IPR), as required pursuant to Streets and Highway Code Section 30914(e), to MTC for review and approval; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the project sponsor is requesting RM2 funding and the reimbursement schedule and amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM2 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff's review of the Initial Project Report ("IPR") for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM2 funds and complementary funding for the deliverable/useable RM2 project segment; and

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

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

RESOLVED, that MTC approves the allocation and reimbursement of RM2 funds in accordance with the amount and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

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

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

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any complementary funding as set forth in Attachment D; and be it further

RESOLVED, that reimbursement of RM2 funds as set forth in Attachment A is subject to the availability of RM2 funding; and be it further

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

METROPOLITAN TRANSPORTATION COMMISSION



David Correse, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California, on December 21, 2016.

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Bay Bridge Forward
Sponsor: Metropolitan Transportation Commission
Project Number: 29.7

Activities to be funded with Allocation #1:						
This allocation will fund the planning, environmental, and preliminary engineering phase for the Bay Bridge Forward suite of projects, including but not limited to (1) West Grand HOV/Bus-Only Lane; (2) Sterling Street Express Lane and HOV Enforcement; (3) Casual Carpool; (4) Integrated Bridge Corridor; (5) Commuter Parking; and (6) Flexible On-Demand Transit.						
Funding Information:						
Allocation Instruction No.	Approval Date		Amount	Phase	Reimbursement Year	Cumulative Total To Date
17425001	21-Dec-16	\$	2,312,000	ENV/PE	FY 2016-17	\$ 2,312,000

Activities to be funded with Allocation #2:						
Allocation 17425002 will fund the study of high-occupancy vehicle enforcement pilot by the California Highway Patrol. The study will measure the impacts of increased CHP enforcement at specific HOV on-ramps and produce a study for future use.						
Allocation 17425003 will fund the final design phase of the West Grand HOV/Bus Only Lane (approach to the San Francisco-Oakland Bay Bridge) in Oakland.						
Funding Information:						
Allocation Instruction No.	Approval Date		Amount	Phase	Reimbursement Year	Cumulative Total To Date
17425002	24-May-17	\$	730,000	ENV/PE	FY 2016-17	\$ 3,042,000
17425003	24-May-17	\$	200,000	PS&E	FY 2016-17	\$ 3,242,000

Activities to be funded with Allocation #3:						
Allocation 17425004 will fund the study of Flexible Transit Pilot among large employers in San Francisco, for underserved routes between San Francisco and the East Bay.						
Funding Information:						
Allocation Instruction No.	Approval Date		Amount	Phase	Reimbursement Year	Cumulative Total To Date
17425004	28-Jun-17	\$	750,000	ENV/PE	FY 2016-17	\$ 3,992,000

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Bay Bridge Forward
Sponsor: Metropolitan Transportation Commission
Project Number: 29.7

Activities to be funded with Allocation #4:						
Allocation 18425005 will fund the construction of the West Grand Avenue HOV/Bus-Only Lane project (Phase 1), and allocation 18425006 will fund the final design of the BBF Commuter Parking project.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
18425005	20-Dec-17	\$ 2,500,000	CON	FY 2017-18	\$	6,492,000
18425006	20-Dec-17	\$ 168,000	PS&E	FY 2017-18	\$	6,660,000

Activities to be funded with Allocation #5:						
Allocation 18425007 will augment allocation 18425006 to fund the final design of the BBF Commuter Parking project; allocation 18425008 will fund the study of Vehicle Occupancy Detection (VOD) pilot; and allocation 18425009 will augment allocation 18425002 to fund the study of high-occupancy vehicle enforcement pilot by the California Highway Patrol.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
18425007	28-Feb-18	\$ 417,000	PS&E	FY 2017-18	\$	7,077,000
18425008	28-Feb-18	\$ 200,000	ENV/PE	FY 2017-18	\$	7,277,000
18425009	28-Feb-18	\$ 100,000	ENV/PE	FY 2017-18	\$	7,377,000

Activities to be funded with Allocation #6:						
Allocation 18425010 will fund the construction of the BBF Commuter Parking project; and Allocation 18425011 will augment allocation 18425005 for the construction of the West Grand Avenue HOV/Bus-Only Lane project (Phase 1).						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
18425010	27-Jun-18	\$ 880,000	CON	FY 2017-18	\$	8,257,000
18425011	27-Jun-18	\$ 120,000	CON	FY 2017-18	\$	8,377,000

REGIONAL MEASURE 2 PROGRAM Allocation of Funds

Project Title: Bay Bridge Forward
Sponsor: Metropolitan Transportation Commission
Project Number: 29.7

Activities to be funded with Allocation #7:						
Allocation 19425012 will augment allocations 18425005 and 18425011 for the construction of the West Grand Avenue HOV/Bus-Only Lane project (Phase 1); Allocation 19425013 will augment allocations 17425002 and 18425009 to fund the study of high-occupancy vehicle enforcement pilot by the CHP; and Allocation 19425014 will augment allocation 17425001 for the planning, environmental, and preliminary engineering phases for the Bay Bridge Forward suite of projects.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
19425012	25-Jul-18	\$ 700,000	CON	FY 2018-19	\$	9,077,000
19425013	25-Jul-18	\$ 310,000	ENV/PE	FY 2018-19	\$	9,387,000
19425014	25-Jul-18	\$ 1,250,000	ENV/PE	FY 2018-19	\$	10,637,000

Activities to be funded with Allocation #8:						
Allocation 19425015 will augment allocation 18425010 for the construction of the BBF Commuter Parking project.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
19425015	26-Sep-18	\$ 1,000,000	CON	FY 2018-19	\$	11,637,000

Activities to be funded with Allocation #9:						
Allocation 20425016 will augment allocations 18425010 and 19425015 for the construction of the BBF Commuter Parking project.						
Funding Information:						
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date	
20425016	24-Jul-19	\$ 2,300,000	CON	FY 2019-20	\$	13,937,000

REGIONAL MEASURE 2 PROGRAM Project Specific Conditions

Project Title: Bay Bridge Forward
Sponsor: Metropolitan Transportation Commission
Project Number: 29.7

The allocation and reimbursement of RM2 funds for the above project are conditioned upon the following:

1. Allocation 18425006 is conditioned upon the approval of the environmental document for the Commuter Parking project.



Regional Measure 2 Regional Traffic Relief Plan

December 21, 2016
Attachment C
MTC Resolution No. 4250
Revised: 06/28/17-C; 12/20/17-C
02/28/18-DA; 06/27/18-DA; 07/25/18-C; 09/26/18-DA

RM2 Project Number: 29.7 Bay Bridge Forward

Lead Sponsor Metropolitan Transportation Commission	Other Sponsors(s) None.	Implementing Agency (if applicable) Metropolitan Transportation Commission
Legislated Project Description Regional Express Bus Service and Operational Improvements for San Mateo, Dumbarton, and Bay Bridge Corridors. Expand park and ride lots, improve HOV and express lane access, construct ramp improvements, purchase rolling stock, deploy corridor management technologies, and improve transit and carpooling between the East Bay and San Francisco. The project sponsors are AC Transit, Alameda County Transportation Commission, the Dumbarton Bridge Regional Operations Consortium member agencies, and the Metropolitan Transportation Commission.		
RM2 Legislated Funding (in \$1,000) Total Overall Funding \$54,933 29.1 AC Transit Rolling Stock (\$5,300) 29.2 Route 84 WB-Newark Boulevard HOV On-ramp (\$39) 29.3 Route 84 WB - HOV Lane Extension between I-880/Newark Blvd (\$4,063) 29.4 Grand-MacArthur Express Bus Corridor (\$3,515) 29.5 Ardenwood Boulevard Park and Ride Lot (\$6,173) 29.6 Dumbarton Express Bus Replacement (\$10,042) 29.7 Bay Bridge Forward (\$21,000) 29.X Reserve (\$4,801)		Total Estimated Project Cost (in \$1,000) \$33,100
Project Purpose and Description Implementation of near-term, cost-effective operational improvements that offer travel time savings and reliability for carpooling and transit use will not only increase person throughput but also reduce congestion, incidents, and emissions in the San Francisco-Oakland Bay Bridge corridor.		
Funding Description Committed Funds: Fully funded by RM2, federal, and other regional funds. Uncommitted Funds: None. Operating Capacity: Caltrans will own and operate improvements on the State Highway System, while MTC and local agencies would cooperatively maintain improvements on streets off the State Highway System.		

Overall Project Cost and Schedule

Phase	Scope	Start	End	Cost (in \$1,000)
1	Environmental Document/Preliminary Engineering	11/2016	6/2019	\$6,921
2	Designs, Plans, Specs, & Estimates	3/2017	12/2019	\$2,685
3	Right-of-Way Acquisition	n/a	n/a	\$0
4	Construction	6/2017	6/2020	\$23,494

Total: \$33,100

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	Bay Bridge Forward	Project No.	29.7
Lead Sponsor	Metropolitan Transportation Commission	Last Updated	9/26/2018

Fund Source	Phase	Prior	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Future	Total
Committed										
RM2	Env./ PE		2,000	500	4,152					6,652
Local/Regional	Env./ PE		269							269
RM2	PS&E		200	585	1,900					2,685
RM2	CON			3,500	1,700	6,463				11,663
Federal Funds	CON				2,500					2,500
Local/Regional	CON				9,331					9,331
Total:		0	2,469	4,585	19,583	6,463	0	0	0	\$ 33,100
Uncommitted										
										0
Total:		0	0	0	0	0	0	0	0	\$ -
Total Project Committed and Uncommitted										
		Prior	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Future	Total
Total:		0	2,469	4,585	19,583	6,463	0	0	0	\$ 33,100

REGIONAL MEASURE 2 PROGRAM

Project Cash Flow Plan

Project Title: Bay Bridge Forward
 Sponsor: Metropolitan Transportation Commission
 RM2 Project Number: 29.7

December 21, 2016
 Attachment D
 MTC Resolution No. 4250
 Org. Key: 840-8829-07
 Page 1 of 1
 Revised: 05/24/17-DA 06/28/17-C
 12/20/17-C 02/28/18-DA
 06/27/18-DA 07/25/18-C
 09/26/18-DA 07/24/19-C

RM2 Project No. 29.7	PRIOR	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	TOTAL
RM2 Funds Total		3,992,000	4,385,000	3,260,000	2,300,000	-	13,937,000
Environmental, PE	0	4,061,000	300,000	1,560,000	0	0	5,921,000
RM2		3,792,000	300,000	1,560,000			5,652,000
Local/Regional Funds		269,000					269,000
Final Design (PS&E)	0	200,000	585,000	0	0	0	785,000
RM2		200,000	585,000				785,000
							0
							0
Right of Way	0	0	0	0	0	0	0
							0
							0
							0
Construction	0	0	3,500,000	13,531,000	2,300,000	0	19,331,000
RM2			3,500,000	1,700,000	2,300,000		7,500,000
Federal Funds				2,500,000			2,500,000
Other Local Funds				9,331,000			9,331,000
TOTAL FUNDING							
Environmental	0	4,061,000	300,000	1,560,000	0	0	5,921,000
Final Design (PS&E)	0	200,000	585,000	0	0	0	785,000
Right of Way	0	0	0	0	0	0	0
Construction	0	0	3,500,000	13,531,000	2,300,000	0	19,331,000
PROJECT TOTAL	0	4,261,000	4,385,000	15,091,000	2,300,000	0	26,037,000

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0722 **Version:** 1 **Name:**
Type: Report **Status:** Commission Approval
File created: 6/7/2019 **In control:** Joint MTC Legislation Committee and ABAG Legislation Committee
On agenda: 7/12/2019 **Final action:**
Title: SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Sponsors:**Indexes:****Code sections:**

Attachments: [8a Leg 5b SB 330 \(Skinner\).pdf](#)
[5b SB 330 \(Skinner\).pdf](#)

Date	Ver.	Action By	Action	Result
7/12/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support / MTC Commission Approval

Attachments:

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

July 12, 2019

Agenda Item 5b

SB 330 (Skinner): Housing Crisis Act of 2019

Subject: SB 330 aims to accelerate new housing construction by speeding up project approvals; prohibiting downzoning in high-rent, low-vacancy areas; and providing project proponents with a higher degree of certainty as to the rules and standards that apply when submitting a preliminary application for a housing development.

Background: MTC and ABAG took a “Seek Amendments” position on SB 330 in May. The bill has since been substantially amended. The following amendments to the bill address our concerns:

- Removal of provisions that would have limited a city’s ability to apply parking minimums;
- Removal of the provision that would have frozen impact fees at January 1, 2018 levels;
- Removal of provisions that would have hampered voters’ ability to set supermajority requirements or to require a vote of the people before certain land use changes are made; and
- Removal of the “look back” provision on allowable densities to allow a developer to build at densities in effect “prior to” January 1, 2018.

Other substantial amendments made since our May action include:

- Elimination of a provision that would have allowed residents to remain in “substandard buildings” that didn’t meet state building code as long as the code violations were not “health and safety” related;
- Reduced duration of the bill’s provisions to just five years (through 2025) rather than 2030;
- Aligns the new requirements related to housing applications with the existing Permit Streamlining Act (1970), rather than creating new duplicative process.

Discussion: Staff continues to find SB 330’s provisions related to streamlining zoning-compliant projects reasonable and likely to speed up the construction of new housing in high-rent, low-vacancy jurisdictions throughout the Bay Area. Eight Bay Area cities do not meet the SB 330 high-rent, low vacancy criteria and would therefore be exempted from the bill, as detailed in Attachment A. Many of the concerns raised by MTC and ABAG as well as the Housing Legislative Working Group have been addressed through the amendments to the bill, such as restrictions on imposing minimum parking requirements (struck); requirement that a project be approved within 12 months (struck); cap on impact fees (struck); and the allowance for a developer to build at densities that had been allowed *prior to* January 1, 2018 (struck); and a provision related to occupied substandard buildings (struck).

Project Approval Acceleration

Given the amendments made to the bill, it is now focused on providing developers with greater certainty as to what is required when proposing a new housing development in a given jurisdiction and speeding up the overall project review process. Specifically, SB 330 establishes new criteria applicable to determining when a housing development project proponent has submitted a “preliminary application.” The bill has been amended to require that each local agency compile its own checklist

July 12, 2019

Page 2 of 2

and application form that applicants for housing development projects can use to submit a preliminary application but also requires the Department of Housing and Community Development to adopt a standardized form for this purpose if a local agency hasn't adopted its own form. This change is responsive to concerns we heard at the Housing Legislative Working Group: Don't mandate that cities use a state form; let them develop the form but rely on HCD if they need to do so. Importantly, the bill includes a list of 13 general categories of information that shall be included in the checklist for a preliminary application to be deemed complete and prohibits a jurisdiction from requiring additional items.

The bill continues to require that a project may not be subject to new ordinances, rules or fees after a preliminary application is submitted except under certain circumstances, such as when necessary for health and safety, to mitigate a project under the California Environmental Quality Act, or the project has not begun construction within three years of receiving final approval. If a project complies with existing zoning and the general plan, the bill provides that a local government may not: (1) require more than five hearings or 2) delay a decision about whether or not to issue a permit beyond 12 months, with an extension allowed in certain circumstances.

Prohibit Downzoning in Affected Areas

The bill would prohibit a local agency, or its voters, from (1) adopting any policy that would result in a "less intensive" residential use than what was in effect on January 1, 2018; (2) imposing a moratoria or cap on housing development, unless HCD determines that it is to protect against an immediate health and safety threat for persons residing in or near the area subject to the moratorium or to protect projects identified as existing restricted affordable housing; or (3) imposing or enforcing design standards that are not objective. Importantly, the bill allows for a reduction in residential density if the local agency adjusts zoning elsewhere to ensure no net loss in residential capacity.

Because SB 330 is the most significant "production" related housing policy bill still moving in 2019 and because the major areas of concern expressed by MTC and ABAG in our May action have since been addressed, staff recommends a support position on the bill.

Recommendation: Support

Bill Positions: See attached

Attachments: **Attachment A:** SB 330 (Skinner) Definitions and Affected Cities and Counties in the Bay Area
Attachment B: SB 330 (Skinner) Bill Positions
Attachment C: Preliminary Checklist items


Therese W. McMillan

Definitions of Affected Cities and Counties in SB 330 (Skinner)

“Affected city or county” in the bill means a city, or city and certain unincorporated areas of a county, including a charter city, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the city’s average rate of rent differed from 130 percent of the national median rent in 2017, based on the federal 2013–2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units differed from the national vacancy rate, based on the federal 2013–2017 American Community Survey 5-year Estimates.

Additionally, “affected city” does not include any city that has a population of 5,000 or less and is not located within an urban core “Affected county” means unincorporated portions of a county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, for which the Department of Housing and Community Development determines that the average of both of the following amounts is greater than zero:

- The percentage by which the average rate of rent for residential uses in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from 130 percent of the national median rent in 2017, based on the federal 2013-2017 American Community Survey 5-year Estimates.
- The percentage by which the vacancy rate for residential rental units in the unincorporated portions of the county that are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, differed from the national vacancy rate, based on the federal 2013-2017 American Community Survey 5-year Estimates.

Affected Cities and Counties in the Bay Area

The following cities are NOT considered “affected cities” for purposes of the bill:

- Belvedere, Marin County
- Ross, Marin County
- Yountville, Napa County
- Los Altos Hills, Santa Clara County
- Monte Sereno, Santa Clara County
- City of Brisbane, San Mateo County
- Town of Colma, San Mateo County
- Town of Portola Valley, San Mateo County

All other Bay Area cities are considered affected cities.

SB 330 (Skinner) Bill Positions

Support

Bay Area Council
Bridge Housing Corporation
Building Industry Association of the Bay Area
California Apartment Association
California Association of Realtors
California Building Industry Association
California Chamber of Commerce
California Community Builders
California-Hawaii State Conference of the NAACP
California YIMBY
Chan Zuckerberg Initiative
East Bay for Everyone
East Bay Leadership Council
Eden Housing
Emerald Fund
Enterprise Community Partners
Facebook
Hamilton Families
Local Government Commission
Martin Luther King Jr. Freedom Center
MidPen Housing Corporation
Non-Profit Housing Association of Northern California
North Bay Leadership Council
Oakland Metropolitan Chamber of Commerce
Orange County Business Council
PICO California
Related California
The San Francisco Foundation
San Francisco Housing Action Coalition
Santa Cruz YIMBY
Silicon Valley At Home
Silicon Valley foundation
SPUR
Terner Center for Housing Innovation
TMG Partners
Urban Displacement Project, UC-Berkeley
Working Partnerships USA

Oppose

AIDS Healthcare Foundation
Association of California Cities - Orange County
Boyle Heights Community Partners
Cities Association Of Santa Clara County
City of Bellflower
City of Beverly Hills
City of Burbank
City of Camarillo
City of Cloverdale
City of Clovis
City of Cupertino
City of Downey
City of Garden Grove
City of Glendale
City of La Mirada
City of Laguna Hills
City of Los Alamitos
City of Mountain View
City of Novato
City of Orinda
City of Paramount
City of Pasadena
City of Rancho Cucamonga
City of San Carlos
City of San Dimas
City of San Marcos
City of Solana Beach
City of Thousand Oaks
City of Torrance
City of Tulare
City of Ventura
City of Vista
Coalition for Economic Survival
Coalition for San Francisco Neighborhoods
Coalition for Valley Neighborhoods
Coalition to Preserve LA
Cultural Action Network
Dolores Heights Improvement Club
East Mission Improvement Association
Environmental Defense Center
Grayburn Avenue Block Club
Individuals Opposed to SB 330

Oppose, cont'd.

Jorge Castaneda
Keep Sunnyvale Beautiful
League of California Cities
Livable California
Los Angeles County Division, League of
California Cities
Marin County Council of Mayors and
Council Members
Paul Koretz, Councilmember, City of Los
Angeles

San Gabriel Valley Council of Governments
Save our Heritage Organization
Solano County Board of Supervisors
South Bay Cities Council of Governments
Spaulding Square Neighborhood
Association
Sustainable TamAlmonte
Town of Colma
Ventura Council of Governments
Individuals - 96

Oppose Unless Amended

California State Association of Counties
City of Morgan Hill
Urban Counties of California

SB 330 (Skinner) Preliminary Application Checklist

Section 65941.1 (a) specifies the following information shall be included in a preliminary application for it to have been deemed submitted:

- (1) The specific location, including parcel numbers, a legal description, and site address, if applicable.
- (2) The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.
- (3) A site plan showing the location on the property, elevations showing design, color, and material, and the massing, height, and approximate square footage, of each building that is to be occupied.
- (4) The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.
- (5) The proposed number of parking spaces.
- (6) Any proposed point sources of air or water pollutants.
- (7) Any species of special concern known to occur on the property.
- (8) Any portion of the property located within any of the following:
 - (A) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.
 - (B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (C) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.
 - (D) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
 - (E) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
- (9) Any historic or cultural resources known to exist on the property.
- (10) The number of proposed below market rate units and their affordability levels.
- (11) The number of bonus units and any incentives, concessions, waivers, or parking reductions requested pursuant to Section 65915.
- (12) Whether any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a tentative map, or a condominium map, are being requested.
- (13) The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 19-0724 **Version:** 1 **Name:**
Type: Assembly Bill **Status:** Commission Approval
File created: 6/7/2019 **In control:** Joint MTC Legislation Committee and ABAG
Legislation Committee
On agenda: 7/12/2019 **Final action:**
Title: AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Sponsors:**Indexes:****Code sections:**

Attachments: [8b Leg 5c AB 1486 \(Ting\).pdf](#)
[5c AB 1486 \(Ting\).pdf](#)

Date	Ver.	Action By	Action	Result
7/12/2019	1	Joint MTC Legislation Committee and ABAG Legislation Committee		

Subject:

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Support / MTC Commission Approval

Attachments:

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

July 12, 2019

Agenda Item 5c

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 would revise the Surplus Lands Act (SLA) – the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use.

Background: In May, MTC and ABAG adopted a “support if amended” position on AB 1486. MTC and ABAG supported the policy of expanding the scope of public lands required to be considered for affordable housing and making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, there were a number of concerns that needed to be addressed, as described in the May Commission item and Joint MTC and ABAG Legislation Committee memo (Attachment A). As detailed in the chart below, two of our concerns have been incorporated into amendments. Staff believes the bill will be amended to address the remaining concerns but have not yet received confirmation on the language. We will provide an update at your meeting on July 12th.

Issue	Concern Addressed	Notes
<i>Broader Negotiations:</i> Expand negotiations scope beyond sales and lease price to ensure other valid topics, such as a project’s financial viability, are allowed.	✓	Sole remaining limitation: Negotiations may not disallow residential use of the site, except for public health or safety
<i>Require Local Support for Zoning Override:</i> Tie provision allowing 100% affordable housing, regardless of zoning, to local subsidy.	✓	Provision removed from the bill
<i>Redevelopment Agency Successors:</i> Ensure the bill does not limit a successor agency’s ability to comply with existing asset disposal requirements.	Pending confirmation	Awaiting written confirmation on language
<i>No Lookbacks:</i> Ensure AB 1486 changes only apply to land disposals initiated after the bill’s effectiveness date.	Pending confirmation	Awaiting written confirmation on language

Discussion: It is widely recognized that one of the barriers to low-income and workforce housing production in the Bay Area is a lack of available and affordable land. Public lands have been identified as an opportunity to address this issue. AB 1486 would expand the scope of public lands required to be considered for affordable housing, provide clarity as to how local agencies should prioritize affordable housing development when disposing of excess public land, and make it easier for

local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. The bill would also provide the Department of Housing and Community Development with new tools to enforce the longstanding SLA mandate.

AB 1486 has the potential to support the Bay Area in addressing the region's chronic housing shortage and two of our amendment recommendations have been incorporated into the bill. However, as of the writing of this memo, two issues remain outstanding. Staff will provide an update at your meeting on July 12th.

Recommendation: If we receive confirmation by July 12th that the outstanding issues related to redevelopment agency successors and the lookback provisions will be addressed, we will recommend a "support" position.

Bill Positions: See attached

Attachments: **Attachment A:** AB 1486 May Meeting Materials (Commission Cover Memo and Joint MTC Legislation Committee and ABAG Legislation Committee Memo)
Attachment B: AB 1486 (Ting) Bill Positions (as of 6/21/19)


Therese W. McMillan

Metropolitan Transportation Commission


May 22, 2019

Agenda Item 9b. vi.

AB 1486 (Ting): Surplus Lands Act Expansion & Revision

- Subject:** Position on AB 1486 (Ting): Surplus Lands Act Expansion & Revision
- Background:** On May 10, the Legislation Committee reviewed legislation and recommended a “support if amended” position on AB 1486 with the following requested amendments:
- 1) Expand negotiations scope beyond sales and lease price to ensure that valid topics such as a project’s financial viability are not prohibited in the scope of negotiations.
 - 2) Ensure that the bill would not limit a successor to a redevelopment agency’s ability to comply with existing asset disposal requirements, as mandated in ABX1 26.
 - 3) Amend the provision permitting residential use for 100 percent affordable housing developments to limit the allowance to those projects that have received local subsidies.
 - 4) Pursue amendments to ensure that the proposed changes not disrupt the sale of the Oakland Coliseum property, by clarifying that the bill would only apply to land disposals initiated after the effective date of the bill.
- Issues:** None.
- Recommendation:** The Commission is requested to adopt a “support if amended” position on AB 1486.
- Attachments:** May 10 Legislation Committee summary sheet. Note: The charts in Attachment A to the staff memo reflect 2016 tax accessor’s data. The charts do not reflect land transfers and/or developments that have been initiated since the data was initially collected.

Reviewed:



Therese W. McMillan

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

May 10, 2019

Agenda Item 7c6

AB 1486 (Ting): Surplus Lands Act Expansion and Revision

Subject: AB 1486 would revise the Surplus Lands Act (SLA) – the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency’s use – and other state laws related to making surplus public land available for affordable housing development.

Background: Enacted in 1968 and revised in 2014, the SLA requires that prior to disposing of surplus land, local agencies—including cities, counties and districts—give right of first refusal to other local governments or organizations that agree to use sites for low- and moderate-income housing developments or parks and open space. Top priority is given to affordable housing development proposals with at least 25 percent of the units reserved for families earning 80 percent area median income or below. Specifically, local agencies are required to give notice of available surplus property to relevant public entities and interested affordable housing developers and if a preferred entity expresses interest within 60 days, the parties must enter into good faith negotiations. If no agreement on sales price or lease terms is reached after 90 days, the local agency may proceed with disposing of the land through other avenues. The California Department of General Services is similarly required to prioritize affordable housing development when disposing of land no longer necessary for the state’s use.

AB 1486 would revise the Surplus Lands Act and related law as follows:

- Expand the scope of the SLA so that the provisions apply to parcels owned by successors to redevelopment agencies and provide that land would be presumed to be “surplus” when a local agency takes an action to dispose of it.
- Revise and clarify surplus land disposal process requirements.
- Permit that 100 percent affordable housing be allowed on surplus land, regardless of local zoning; Provision would not apply to exempt surplus land (e.g., protected open space) or land ineligible for affordable housing financing programs and the project would remain subject to environmental review.
- Require that the Department of Housing and Community Development (HCD) create and maintain a statewide inventory of local surplus public lands sourced from local land inventories.
- Expand HCD’s enforcement mandate to include SLA compliance.

Joint MTC Legislation Committee and ABAG Legislation Committee

May 10, 2019

Page 2 of 2

Issues:

It is widely recognized that one of the barriers to low-income and workforce housing production in the Bay Area is a lack of available and affordable land. Public lands have been identified as an opportunity to address this issue. For example, a 2018 MTC Workforce Housing Action Plan memorandum identified nearly 700 acres of Bay Area public lands suitable for housing near transit estimated to have capacity for roughly 35,000 housing units (see Attachment A).¹

AB 1486 would expand the scope of public lands required to be considered for affordable housing, making it easier for local agencies and organizations seeking to develop affordable housing to identify land purchase opportunities. However, staff has a number of concerns that we believe should be addressed, detailed below:

- *Negotiations Scope:* Narrowing negotiations to sales and lease price, as proposed by AB 1486, would limit a local agency's ability to incorporate other important considerations such as a project's financial viability into the negotiation. Staff recommends the bill be amended to ensure that these and other valid topics are not prohibited in the scope of negotiations.
- *Redevelopment Agency Successors:* The Housing Legislative Working Group (HLWG) raised that first offering to affordable housing developers parcels owned by successors to redevelopment agencies may impede a successor agency from disposing of land consistent with ABX1 26 (2011), including the mandate to pay for existing obligations to the various taxing agencies in the redevelopment area. Staff recommends working with the author to ensure that the bill would not limit successor agency's ability to comply with existing asset disposal requirements.
- *100% Affordable Housing, Notwithstanding Local Zoning:* The HLWG expressed concerns that AB 1486 might result in development in areas that are inappropriate for housing. Staff recommends that the provision permitting residential use for 100 percent affordable housing developments be amended to limit the allowance to those projects that have received local subsidies, and therefore would not be in locations deemed inappropriate.

Recommendation: Support if Amended

Bill Positions: See Attachment B

Attachments: Attachment A: Attachment A: Public Land Suitable for Housing Near Transit
Attachment B: Bill Positions



Therese W. McMillan

¹ MTC in 2016 took steps to increase awareness of the SLA by conditioning certain One Bay Area Grant (OBAG) 2 eligibility on the adoption of a resolution confirming SLA compliance. As of December 2017, all general law cities and counties that were recommended for OBAG 2 county program funding had met this requirement.

Bill Positions on AB 1486 (Ting)
(6/27/19)

Support

East Bay Housing Organizations (Co-Sponsor)
NonProfit Housing Association of Northern California (Co-Sponsor)
Bay Area Council
Bay Area Housing Advocacy Coalition
Bay Area Regional Health Inequities Initiative
Building Industry Association of the Bay Area
California Apartment Association
California Coalition for Rural Housing
California Community Builders
California Housing Consortium
California Housing Partnership
California Rural Legal Assistance Foundation
California YIMBY
Chan Zuckerberg Initiative
Community Legal Services in East Palo Alto
EAH Housing
East Bay Asian Local Development Corporation

Enterprise Community Partners, Inc.
Greenbelt Alliance
Habitat for Humanity California
Habitat for Humanity East Bay/Silicon Valley
Hamilton Families
Midpen Housing Corporation
North Bay Leadership Council
Related California
San Diego Housing Federation
San Francisco Foundation
San Francisco Housing Action Coalition
Silicon Valley At Home
Silicon Valley Community Association
Southern California Association of Nonprofit Housing
Tenderloin Neighborhood Development
TMG Partners
Transform
Urban Displacement Project, UC Berkeley
Western Center on Law & Poverty, Inc.

Oppose

Association Of California Healthcare Districts
Association Of California Water Agencies
California Association Of Sanitation Agencies
California Municipal Utilities Association
California Special Districts Association
California State Association Of Counties
Cambria Community Services District
Central Contra Costa Sanitary District
Chino Valley Independent Fire District
Coachella Valley Water District
Costa Mesa Sanitary District
Crestline Sanitation District
Cucamonga Valley Water District
Denair Community Services District
Desert Recreation District

Dublin San Ramon Services District
East Contra Costa Fire Protection District
Eastern Kern County Resource Conservation District
El Dorado Hills Community Services District
Fallbrook Public Utilities District
Fresno Mosquito And Vector Control District
Garberville Sanitary District
Georgetown Divide Public Utility District
Goleta Sanitary District
Goleta West Sanitary District
Greenfield County Water District
Helix Water District
Humboldt Bay Municipal Water District
Ironhouse Sanitary District

Oppose, cont.

Irvine Ranch Water District
Kern County Cemetery District
Leucadia Wastewater District
Mckinleyville Community Services District
Merced County Mosquito Abatement District
Mesa Water District
Montara Water And Sanitary District
Mt. View Sanitary District
North County Fire Protection District
North Tahoe Fire Protection District
Northern Salinas Valley Mosquito Abatement District
Oceano Community Services District
Ojai Valley Sanitary District
Orange County Cemetery District
District Orange County Mosquito And Vector Control District
Orange County Water District
Palo Verde Cemetery District
Rainbow Municipal Water District
Reclamation District 1000
Rural County Representatives Of California
San Bernardino Valley Water District
San Juan Water District
San Marcos; City Of
San Ramon Valley Fire Protection District

Sanitation Districts of Los Angeles County
Santa Clara County
Santa Margarita Water District
Silveyville Cemetery District
Solano County
Solano Irrigation District
South Coast Water District
Stallion Springs Community Services District
Steger Sanitary District
Tahoe City Public Utility District
Templeton Community Services District
Three Valleys Municipal Water District
Town Of Discovery Bay Community Services District
Tulare Mosquito Abatement District
Tulare Public Cemetery District
Urban Counties Of California
Valley Center Municipal Water District
Ventura Port District
Visalia Public Cemetery District
Vista Irrigation District
West County Wastewater District
West Side Recreation & Park District
Yucaipa Valley Water District

Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	19-0721	Version:	1	Name:	
Type:	Report	Status:		Commission Approval	
File created:	6/7/2019	In control:		Joint MTC Legislation Committee and ABAG Legislation Committee	
On agenda:	7/12/2019	Final action:			
Title:	AB 1487 (Chiu): Bay Area Regional Housing Funding				

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Sponsors:**Indexes:****Code sections:**

Attachments: [8c AB 1487 \(Chiu\).pdf](#)
[5a AB 1487.pdf](#)
[5a Handout AB1487 flow chart.pdf](#)
[5a Correspondence Received During the Meeting.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

AB 1487 (Chiu): Bay Area Regional Housing Funding

This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Presenter:

Randy Rentschler

Recommended Action:

Support if Amended / MTC Commission Approval

Attachments:

Metropolitan Transportation Commission

July 24, 2019

Agenda Item 8c

AB 1487 (Chiu): Bay Area Regional Housing Funding

Subject: AB 1487 (Chiu): Bay Area Regional Housing Funding

Background: At the July 12, 2019 joint ABAG Legislation Committee and MTC Legislation Committee meeting, staff reported on the status of AB 1487 (Chiu).

The Chair of the Legislation Committee directed the Executive Director to forward this item to the Commission with the direction for staff to include a support if amended position on this bill.

Specifically, the amendments need to be consistent with the positions as outlined in the summary sheet dated July 12, 2019 and Attachment A describing the recommendations of the ABAG-MTC AB 1487 Ad Hoc Committee to the joint ABAG Legislation Committee and MTC Legislation Committee (see attachments).

Also included is the bill as currently held, and to be amended, in the Senate Appropriations Committee, as well as an email Committee Member Pat Eklund, Councilmember, City of Novato, distributed at the joint committee meeting.

Issues: For consideration by the Commission.

Recommendation: The Commission is requested to support if amended AB 1487 (Chiu).

Attachments:

- A. Summary Sheet, Joint MTC Legislation Committee and ABAG Legislation Committee, July 12, 2019 (and attachments)
- B. Bill Text
- C. Eklund Email

Reviewed:



Therese W. McMillan

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

July 12, 2019

Agenda Item 5a

AB 1487 (Chiu): Bay Area Regional Housing Funding

Subject: This bill would authorize a regional housing funding measure for affordable housing production, preservation, and protection of tenants from displacement to be placed on the ballot in the Bay Area with funds administered by MTC and ABAG.

Background: Unlike transportation, which has long had access to substantial regional funding through bridge tolls and federal and state funds distributed at the regional level, affordable housing is reliant upon private, local, state and federal funding, including state and federal tax breaks. Given the Bay Area faces an estimated \$2.5 billion annual affordable housing funding shortfall, a new flexible fund source to help close the funding gap for housing projects especially in those jurisdictions that have less resources available at the local level would benefit the entire Bay Area.

Discussion: As originally proposed, AB 1487 (Chiu) would have established the Housing Alliance for the Bay Area (HABA) to oversee new funding for affordable housing in the nine-county region.

In May, ABAG and MTC took a “seek amendment” position on AB 1487 as follows:

Issue	Concern Addressed	Notes
Revenue - Exclude sales tax from revenue options	✓	Author has agreed and will be reflected in amendments
Start-up Funding - Ensure no new responsibilities are assigned to MTC or ABAG without a guaranteed source of ongoing funding and bill includes a provision allowing for dissolution of HABA if not enough revenue is generated to be meaningful	✓	In addition, the FY 2019-20 Budget will provide at least \$25 million to ABAG for flexible housing planning work Proposed amendments will give ABAG and MTC authority to determine whether to place on ballot and set tax rates, thereby determining what level of revenue is ‘meaningful’
Split Board - Ensure the bill doesn’t require MTC staff report to a newly structured board	✓	Author has agreed not to form HABA and instead to split up duties between MTC and ABAG
Revenue Distribution - Develop a distribution formula that distributes <i>more than</i> 25 percent of any employer-based revenue to a regional pool	✓	Author has agreed to bill language which provide that “at least 50 percent” of head tax shall be distributed to counties, with up to 50 percent for regional pool

Ad Hoc Committee Discussions

Another component of the MTC and ABAG boards' actions on AB 1487 called for the formation of a joint ad hoc committee to work with the author on governance and other issues. The membership on the Ad Hoc Committee on AB 1487 (appointed by the MTC Chair and ABAG President) include for MTC: Vice Chair Alfredo Pedroza, Jim Spering, Amy Worth, Libby Schaaf and Damon Connolly; and for ABAG: President David Rabbit, Vice President Jesse Arreguin, Cindy Chavez, Julie Pierce and Warren Slocum.

The committee met three times, including with Assemblymember Chiu on a number of important matters related to governance of this process within the constraints of our existing regional governmental structures, primarily that no new board would be created. Discussions also addressed revenue distribution frameworks. A summary is included as Attachment A.

Amendments to AB 1487 released on July 5th are largely consistent with the discussion of the ad hoc committee though not entirely complete, as a number of items need to be included in a later draft of the bill. Staff was still combing through the most recent draft bill language at the time this memo was finalized, but is aware of further changes needed for the timely use of fund provisions, at a minimum.

The July Joint MTC and ABAG Legislation Committee meeting will be an opportunity to continue the discussion and to consider forwarding AB 1487 to the Commission and the ABAG Executive Committee for their deliberation.

AB 1487 is up against a final hearing deadline for 2019 as the session is set for summer break on July 12th. As of this writing it remains uncertain if the bill will be scheduled for a hearing in the Senate Governance & Finance Committee on July 10th, or if it will receive a waiver to allow it to be heard in August.

Recommendation: Information Item

Bill Positions: See attached

Attachments: **Attachment A:** ABAG-MTC AB 1487 Ad Hoc Committee Recommendations
Attachment B: Bill Positions


Therese W. McMillan

ABAG-MTC AB 1487 Ad Hoc Committee Recommendations

June 28, 2019

Governance

Rather than establishing a new regional entity with a new board, AB 1487 should be amended to rely upon the existing governance structures, strengths and areas of expertise of MTC and ABAG, as outlined in the table below.

A shared arrangement for our two agencies has precedent in state law (Government Code 65080 (b)(2)(C)) which assigned different roles to each agency relative to the development of the sustainable communities strategy (Plan Bay Area). Likewise, MTC agreed to give ABAG a formal role in the selection process for the new MTC Executive Director (who currently serves as the ABAG Executive Director).

Summary of Proposed Decision-Making Responsibilities in AB 1487

	ABAG Executive Board	MTC
Developing ballot expenditure plan (including setting tax rates and revenue sources, setting minimum shares for 3Ps, criteria, potentially minimum shares at county level)	√	√
Project selection/ programming of funds for specific purposes	√	√
Commercial Linkage Fee Study & Expenditure Plan	√	√
Placement of measure on ballot		√
Financial administration (including collecting revenue, authorizing payments and issuing bonds)		√

Option to Adjust in Future

We recommend the bill add a provision requiring MTC and the ABAG Executive Board to revisit the division of roles five years after the bill takes effect. To the extent it can work from a legal standpoint, the bill would ideally grant the agencies the authority to take formal action to modify the roles to one another if agreed to by both bodies. The bill should also provide a statement of legislative intent to transfer this responsibility to a successor agency to MTC and ABAG if one is established in future legislation.

Expenditures & Revenue

We spent a lot of time on how the funds are distributed in terms of usage and in terms of county versus region. Below is our proposal:

1. Splitting up the 3Ps:

The regionwide and county **required** minimums (“at least” floors) for the different components of the 3Ps should be the same, as follows:

	Regionwide Minimum	County Minimum
Production	50%	50%
Preservation	15%	15%
Protection	5%	5%
Incentive Funds for local governments	5%	NA

- There should be no caps on the 3P shares.
- Retain flexibility in bill now to modify the regionwide 3P shares (subject to board action and 30 day notice), but require a 55% vote requirement of both bodies to make changes.

2. Region vs. County Split of Funds

The bill should specify that the head tax should be distributed with at least 50% of the funds remaining in the county of origin based on revenue, leaving up to 50 percent available to be spent regionwide, while the other taxes in the bill should be distributed so that at least 75% of revenue goes to the county of origin based on revenue, leaving up to 25% for a regional fund.

The bill should allow the ABAG Executive Board and MTC to revisit this periodically and modify it but subject to a very high bar.

3. Distribution of local funds to and within a county

We agreed that the county share funds should go to the county – to be administered at the county level, leaving details about how the funds are distributed up to each county in coordination with their cities (subject to the minimum shares and potential details added in the ballot measure language) with one exception – big cities.

For the first five years, the four biggest cities in the region should get a direct allocation of their county’s share based on their share of the county’s RHNA. This can be extended at the option of the ABAG EB and MTC. Counties may want to also use RHNA in some manner for distributing within their county, but the bill should not mandate a formula distribution for smaller cities as this could result in funds not being put to use as efficiently as on a first-come, first-served basis for qualifying projects within each county.

4. Timely Use of Fund Provisions

We agreed that the bill shouldn't mandate a specific deadline by which counties have to commit or expend their share of the funds. However, to encourage that funds are put to use as swiftly as possible, the bill should include annual reporting requirements about use of the funds by counties and the regional agencies. The bill should also provide for evaluation of each county's use of funds and delivery of projects at least once every five years, and permit the ABAG EB and MTC with the authority to jointly assess and establish deadlines applicable to the county funds, considering, among other factors, best practices deployed over that period by the counties and cities.

We suggested that timely use of fund requirements could be applied to specific projects, but we have not discussed the exact number of years or the appropriate benchmarks. Funds for projects that miss a timely use of funding deadline should return to the original fund (county or regional) from where they originated.

5. Commercial Linkage Fee

We would like the bill to broaden where the fee revenue can be spent (not just in the local jurisdiction where it was imposed), consistent with whatever the legal nexus study determines. Also, we support the offset provision in bill now, which reduces the rate of the regional linkage fee in any jurisdiction that already has a local commercial linkage fee.

6. Revenue Sources

As adopted by the MTC and the ABAG Executive Board's position on AB 1487, we would like the sales tax removed as one of the funding options in the bill. We understand removing the sales tax from AB 1487 does not mean that the sales tax is off the table as a funding option that might be considered in a broader Bay Area transportation and housing "mega measure" that would require separate legislative authorization and may be pursued legislatively and on the ballot in 2020 or beyond.

Other

1. Land Acquisition & Assembly

We recommend removing this aspect of the bill since neither MTC nor ABAG have experience or skill set in this regard. The regional funds can instead help support local agencies which do have such expertise in this work.

AB 1487 (Chiu) Bill Positions

SUPPORT

- PICO California
- Silicon Valley Community Foundation
- Non-Profit Housing Association of Northern California
- Bay Area Council
- Burbank Housing Development Corporation
- Greenbelt Alliance
- TMG Partners
- Community Housing Development Corporation
- SPUR
- Habitat for Humanity East Bay/Silicon Valley
- Silicon Valley at Home
- California Community Builders
- Hamilton Families
- California YIMBY
- TechEquity Collaborative
- Chan Zuckerberg Initiative
- Enterprise Community Partners, Inc.
- Urban Displacement Project, UC-Berkeley
- Ensuring Opportunity Campaign to End Poverty in Contra Costa County
- Bay Area Housing Advocacy Coalition

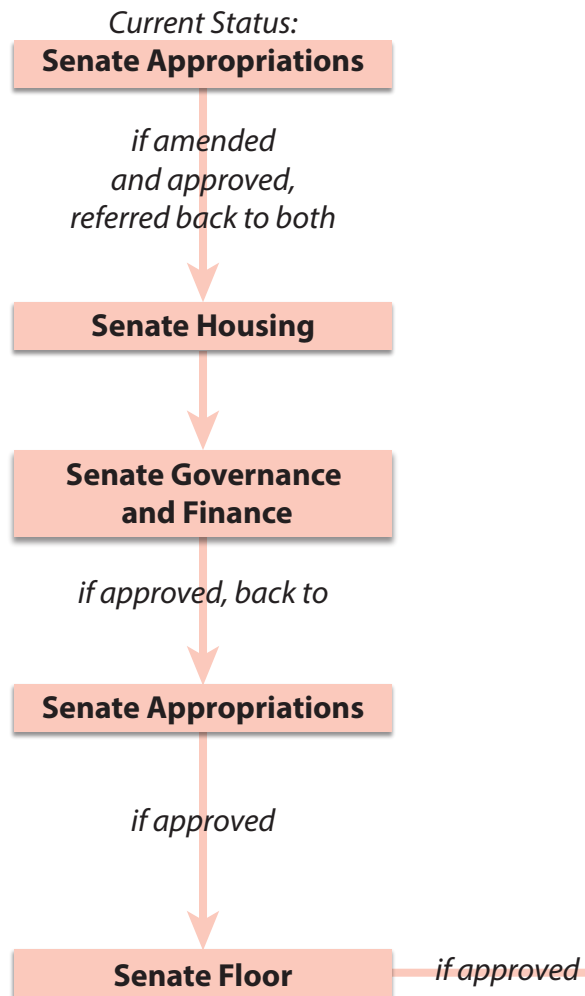
Source: Senate Housing Committee, 6/13/2019 - SENATE Housing (Based on text dated 5/16/2019)

OPPOSE

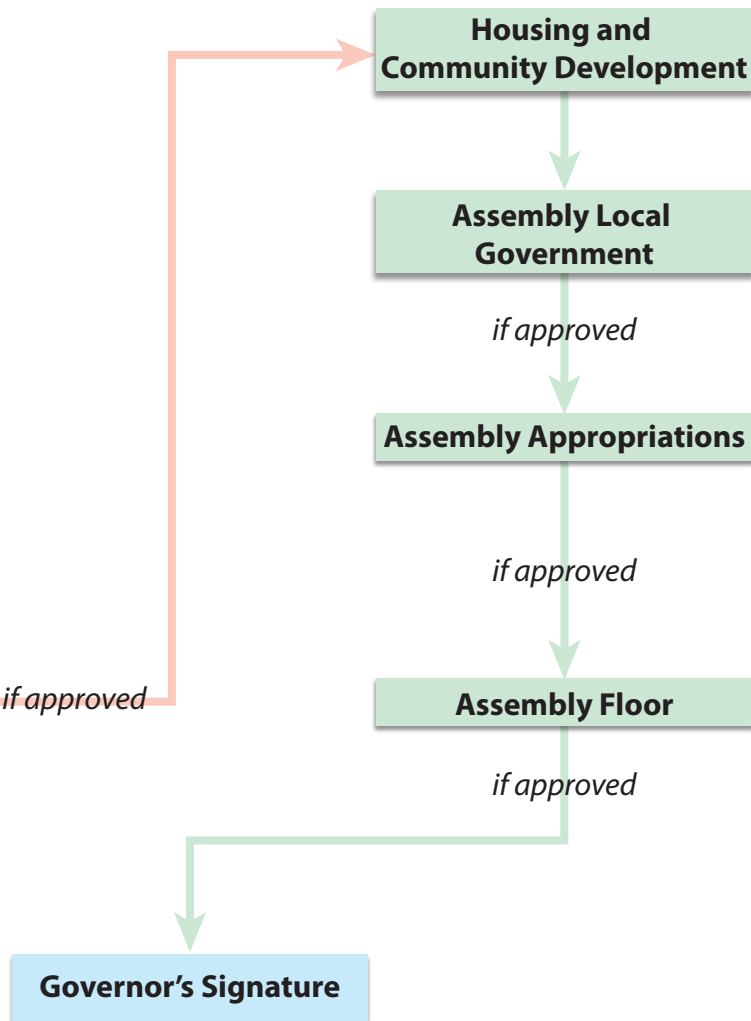
- California Taxpayers Association
- Howard Jarvis Taxpayers Association
- Coalition for San Francisco Neighborhoods
- Alameda County Transportation Commission

AB 1487 (Chiu)

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AB-1487 San Francisco Bay area: housing development: financing. (2019-2020)

Text	Votes	History	Bill Analysis	Today's Law As Amended ⓘ	Compare Versions	Status	Comments To Author
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Date Published: 07/11/2019 09:00 PM

AMENDED IN SENATE JULY 11, 2019
AMENDED IN SENATE JULY 03, 2019
AMENDED IN ASSEMBLY MAY 16, 2019
AMENDED IN ASSEMBLY APRIL 29, 2019
AMENDED IN ASSEMBLY APRIL 04, 2019
AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 1487

Introduced by Assembly Member Chiu
(Coauthors: Assembly Members Mullin and Wicks)
(Coauthor: Senator Wiener)

February 22, 2019

An act to add Title 6.8 (commencing with Section 64500) to the Government Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1487, as amended, Chiu. San Francisco Bay area: housing development: financing.

Existing law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive.

This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Bay Area Housing

Finance Authority (hereafter the authority) and would state that the authority’s purpose is to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The bill would provide that the governing board of the Metropolitan Transportation Commission serve as the governing board of the authority. ~~The bill would authorize the authority to exercise various specified powers, including the power to raise revenue and allocate funds throughout the San Francisco Bay area, subject to applicable voter approval requirements and other specified procedures, as provided. The bill would also require the board to provide for annual audits of the authority and financial reports, as provided. The bill would include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities within the San Francisco Bay area, including charter cities.~~

~~The bill would authorize the authority to, among other things, raise and allocate new revenue, incur and issue indebtedness, and allocate funds to the various cities, counties, and other public agencies and affordable housing projects within its jurisdiction to finance affordable housing development projects, subject to specified procedures, preserve and enhance existing affordable housing, and fund tenant protection programs, as specified, in accordance with applicable constitutional requirements. In this regard, the bill would authorize the entity to impose various special taxes, including a parcel tax, and certain business taxes, within its jurisdiction and to issue bonds, subject to specified procedures. The bill would also authorize the executive board of the Association of Bay Area Governments to impose a commercial linkage fee, as defined, and require a city or county in the San Francisco Bay area that has jurisdiction over the approval of a commercial development project, as defined, to collect that fee as a condition of that approval and remit the amount of fee to the authority, as provided. The bill would require the authority to ratify the commercial linkage fee adopted by the executive board of the Association of Bay Area Governments. The bill would require that revenue generated by the authority pursuant to these provisions be used for specified housing purposes and require the authority to distribute those funds as provided.~~

This bill would make legislative findings and declarations as to the necessity of a special statute for the San Francisco Bay area.

By adding to the duties of local officials with respect to (1) providing staff for the authority and (2) elections procedures for revenue measures on behalf of the authority, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Title 6.8 (commencing with Section 64500) is added to the Government Code, to read:

TITLE 6.8. San Francisco Bay Area Regional Housing Finance
PART 1. Formation of the Bay Area Housing Finance Authority and General Powers
CHAPTER 1. General Provisions

64500. This title shall be known, and may be cited, as the San Francisco Bay Area Regional Housing Finance Act.

64501. The Legislature finds and declares the following:

(a) The San Francisco Bay area is facing the most significant housing crisis in the region’s history, as countless residents are contemplating moving, spend hours driving every day, are one paycheck away from an eviction, or experience homelessness.

(b) The San Francisco Bay area faces this crisis because, as a region, it has failed to produce enough housing at all income levels, preserve affordable housing, protect existing residents from displacement, and address the housing issue regionally.

(c) The housing crisis in the San Francisco Bay area is regional in nature and too great to be addressed individually by the region's 101 cities and 9 counties.

(d) However, the current process is anything but regional; instead each city and county is each responsible for their own decisions around housing.

(e) The San Francisco Bay area faces an annual funding shortfall of two billion five hundred million dollars (\$2,500,000,000) in its efforts to address the affordable housing crisis.

(f) Regional funding is necessary to help address the housing crisis in the San Francisco Bay area by delivering resources and technical assistance at a regional scale, including:

(1) Providing critically needed funding to affordable housing projects across the San Francisco Bay area.

(2) Providing staff support to local jurisdictions that require capacity or technical assistance to expedite the preservation and production of housing.

(3) Funding tenant services, such as emergency rental assistance and access to counsel, thereby relieving local jurisdictions of this cost and responsibility.

(4) Monitoring and reporting on progress at a regional scale.

64502. For purposes of this title:

(a) "Authority" means the Bay Area Housing Finance Authority established pursuant to Section 64510.

(b) "Board" means the governing board of the Bay Area Housing Finance Authority.

(c) "Executive board" means the executive board of the Association of Bay Area Governments.

(d) "San Francisco Bay area" means the entire area within the territorial boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco.

~~(e) "Lower income households" has the same meaning as that term is defined in Section 50079.5 of the Health and Safety Code.~~

~~(f) "Low or moderate income households" has the same meaning as "persons and families of low or moderate income," as defined in Section 50093 of the Health and Safety Code.~~

64503. The Legislature finds and declares that providing a regional financing mechanism for affordable housing development and preservation in the San Francisco Bay area, as described in this section and Section 64501, is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this title applies to all cities within the San Francisco Bay area, including charter cities.

CHAPTER 2. The Bay Area Housing Finance Authority and Governing Board

64510. (a) (1) The Bay Area Housing Finance Authority is hereby established with jurisdiction extending throughout the San Francisco Bay area.

(2) The authority is a public instrumentality and shall be governed by the same board that governs the Metropolitan Transportation Commission. The authority shall be a separate legal entity from the Metropolitan Transportation Commission.

(b) The formation and jurisdictional boundaries of the authority are not subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5).

(c) The authority's purpose is to raise, administer, and allocate funding and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production.

(d) The authority shall be staffed by the existing staff of the Metropolitan Transportation Commission or any successor agency, with the understanding that additional staff with expertise in affordable housing finance will be needed to administer the funding authorized in this chapter.

(e) It is the intent of the Legislature that the powers granted to the authority and the executive board under this title shall be transferred to a future regional agency if an agency is established to replace the Metropolitan Transportation Commission and the Association of Bay Area Governments and integrate regional transportation and housing funding and policy decisions within the San Francisco Bay area under one governing board, subsequent to a robust public engagement process at the regional level.

64511. (a) (1) The executive board shall review and approve projects authorized by this chapter prior to review, approval, and allocation by the authority.

(2) The executive board shall form an advisory committee comprised of nine representatives with knowledge and experience in the areas of affordable housing finance and development, tenant protection, and housing preservation to assist in the development of funding guidelines and the overall implementation of the program.

(b) The board shall select from its members a chair, who shall preside over meetings of the board, and a vice chair from its members, who shall preside in the absence of the chair.

(c) (1) A member of the board appointed pursuant to this section may receive a per diem for each board meeting that the member attends. The board shall set the amount of that per diem for a member's attendance, but that amount shall not exceed one hundred dollars (\$100) per meeting. A member shall not receive a payment for more than two meetings in a calendar month.

(2) A member may waive a payment of per diem authorized by this subdivision.

(d) (1) Members of the board are subject to Article 2.4 (commencing with Section 53234) of Chapter 2 of Part 1 of Division 2 of Title 5.

(2) The authority shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).

~~(e)(1) Five years after the voters approve an initial ballot measure pursuant to Section 64521, the authority and the executive board shall review the implementation of the measure. The review shall include the following:~~

~~(A) An analysis of the expenditures to date.~~

~~(B) The number of affordable housing units produced and preserved at different household income levels.~~

~~(C) The tenant protection services provided, and the roles of the executive board and the authority.~~

~~(2) The executive board and the authority may, upon mutual concurrence, as a part of the review described in this subdivision elect to transfer or delegate a responsibility authorized in this title to the executive board or the authority, as applicable, except for the provisions of Chapter 3.~~

64512. A member of the board shall exercise independent judgment on behalf of the interests of the residents, the property owners, and the public as a whole in furthering the intent and purposes of this title.

64513. (a) The time and place of the first meeting of the board shall be at a time and place within the San Francisco Bay area fixed by the chair of the board.

(b) After the first meeting described in subdivision (a), the board shall hold meetings at times and places determined by the board.

64514. (a) The board may make and enforce rules and regulations necessary for governing the authority, the preservation of order, and the transaction of business.

(b) In exercising the powers and duties conferred on the authority by this title, the board may act by resolution.

~~3.Powers of the Bay Area Housing Finance Authority~~

~~64520.In implementing this title, the authority may do all of the following:~~

~~(a)Subject to the approval of the executive board, place a measure on the ballot to raise revenue and allocate funds throughout the San Francisco Bay area, as provided in Part 2 (commencing with Section 64600):~~

~~(b)Apply for and receive grants from federal and state agencies:~~

~~(c)Solicit and accept gifts, fees, grants, and allocations from public and private entities:~~

~~(d)Deposit or invest moneys of the authority in banks or financial institutions in the state, as provided in Chapter 4 (commencing with Section 53600) of Part 1 of Division 2 of Title 5:~~

~~(e)Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction:~~

~~(f)Engage counsel and other professional services:~~

~~(g)Enter into and perform all necessary contracts:~~

~~(h)Enter into joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1):~~

~~(i)Hire staff, define their qualifications and duties, and provide a schedule of compensation for the performance of their duties:~~

~~(j)Use staff provided by the Metropolitan Transportation Commission:~~

~~(k)Collect data on housing production and monitor progress on meeting regional and state housing goals:~~

~~(l)Provide support and technical assistance to local governments in relation to producing and preserving affordable housing:~~

~~(m)Provide public information about the authority's housing programs and policies:~~

~~(n)Any other express or implied power necessary to carry out the intent and purposes of this title:~~

~~64521.(a)Subject to the approval of the executive board before voter approval, if the authority proposes a measure pursuant to Part 2 (commencing with Section 64600) that will generate revenues and that requires voter approval pursuant to the California Constitution, the board of supervisors of the county or counties in which the authority has determined to place the measure on the ballot shall call a special election on the measure. The special election shall be consolidated with the next regularly scheduled statewide election and the measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Articles XIII A, XIII C, and XIII, or Article XVI of the California Constitution, as applicable:~~

~~(b)(1)For the purpose of placement of a measure on the ballot, the authority is a district, as defined in Section 317 of the Elections Code. Except as otherwise provided in this section, a measure proposed by the authority that requires voter approval shall be submitted to the voters of the counties, as determined by the authority, in accordance with the provisions of the Elections Code applicable to districts, including the provisions of Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code:~~

~~(2)Because the authority has no revenues as of the effective date of this section, the appropriations limit for the authority shall be originally established based on receipts from the initial measure that would generate revenues for the authority pursuant to subdivision (a), and that establishment of an appropriations limit shall not be deemed a change in an appropriations limit for purposes of Section 4 of Article XIII B of the California~~

~~Constitution:~~

~~(c)The authority shall file with the board of supervisors of each county in which the measure shall appear on the ballot a resolution of the board requesting consolidation, and setting forth the exact form of the ballot question, in accordance with Section 10403 of the Elections Code.~~

~~(d)The legal counsel for the authority shall prepare an impartial analysis of the measure. The impartial analysis prepared by the legal counsel for the authority shall be subject to review and revision by the county counsel of the county that contains the largest population, as determined by the most recent federal decennial census, among those counties in which the measure will be submitted to the voters.~~

~~(e)Each county included in the measure shall use the exact ballot question, impartial analysis, and ballot language provided by the authority. If two or more counties included in the measure are required to prepare a translation of ballot materials into the same language other than English, the county that contains the largest population, as determined by the most recent federal decennial census, among those counties that are required to prepare a translation of ballot materials into the same language other than English shall prepare the translation, or authorize the authority to prepare the translation, and that translation shall be used by the other county or counties, as applicable.~~

~~(f)Notwithstanding Section 13116 of the Elections Code, the elections officials of the counties where the measure proposed by the authority is placed on the ballot shall mutually agree to use the same letter designation for the measure.~~

~~(g)The county clerk of each county shall report the results of the special election to the authority. If two-thirds of all voters voting on the question at the special election vote affirmatively, or a different approval threshold required by the California Constitution at the time the election is held, the measure shall take effect in the counties in which the measure appeared on the ballot within the timeframe specified in the measure.~~

~~(h)(1)Notwithstanding Section 10520 of the Elections Code, for any election at which the authority proposes a measure pursuant to subdivision (a) of Section 64520 that would generate revenues, the authority shall reimburse each county in which that measure appears on the ballot only for the incremental costs incurred by the county elections official related to submitting the measure to the voters with proceeds from the measure, or if the measure fails, with any eligible funds transferred to the authority from the Association of Bay Area Governments or the Metropolitan Transportation Commission or other public or private entity.~~

~~(2)For purposes of this subdivision, "incremental costs" include all of the following:~~

~~(A)The cost to prepare, review, and revise the impartial analysis of the measure that is required by subdivision (d).~~

~~(B)The cost to prepare a translation of ballot materials into a language other than English by any county, as described in subdivision (e).~~

~~(C)The additional costs that exceed the costs incurred for other election races or ballot measures, if any, appearing on the same ballot in each county in which the measure appears on the ballot, including both of the following:~~

~~(i)The printing and mailing of ballot materials.~~

~~(ii)The canvass of the vote regarding the measure pursuant to Division 15 (commencing with Section 15000) of the Elections Code.~~

~~64522.The authority shall not do either of the following:~~

~~(a)Regulate or enforce local land use decisions.~~

~~(b)Acquire property by eminent domain.~~

~~4.Financial Provisions~~

~~64530.The board shall provide for regular audits of the authority's accounts and records and shall maintain accounting records and shall report accounting transactions in accordance with generally accepted accounting~~

~~principles adopted by the Governmental Accounting Standards Board of the Financial Accounting Foundation for both public reporting purposes and for reporting of activities to the Controller.~~

~~64531. The board shall provide for annual financial reports. The board shall make copies of the annual financial reports available to the public.~~

~~2. Financing Activities of the Bay Area Housing Finance Authority~~

~~1. General Provisions~~

~~64600. The authority may do all of the following:~~

~~(a)(1) Raise and allocate new revenue through the following funding mechanisms:~~

~~(A) Special taxes, subject to voter approval, as provided in Article 1 (commencing with Section 64610) of Chapter 2, as follows:~~

~~(i) A parcel tax, as provided in Section 64610.~~

~~(ii) A gross receipts business license tax, as provided in Section 64611.~~

~~(iii) A special business tax, as provided in Section 64612.~~

~~(B) A commercial linkage fee, as provided in Article 2 (commencing with Section 64620) of Chapter 2.~~

~~(C) Bonds, as provided in Article 3 (commencing with Section 64630) of Chapter 2.~~

~~(2) Any funding mechanism or combination of funding mechanisms authorized pursuant to paragraph (1) that requires voter approval pursuant to the California Constitution or this part may be placed on the ballot in all or a subset of the nine counties in the San Francisco Bay area, but in no case shall it be placed on the ballot in fewer than four counties. A measure placed on the ballot in a subset of those nine counties shall apply only in those counties in which the measure was submitted to the voters.~~

~~(3) It is the intent of the Legislature that the funding measures authorized by this subdivision distribute the responsibility of addressing the affordable housing needs of the region across commercial developers, businesses above a certain size, taxpayers, and property owners within the region.~~

~~(b) Incur and issue indebtedness and assess fees on any debt issuance and loan products for reinvestment of fees and loan repayments in affordable housing production and preservation.~~

~~(c) Allocate funds to the various cities, counties, and other public agencies and affordable housing developers for housing projects approved by the executive board within its jurisdiction, as provided in Chapter 3 (commencing with Section 64650), to finance affordable housing development, preserve and enhance existing affordable housing, and fund tenant protection programs, pursuant to this title, in accordance with applicable constitutional requirements.~~

~~2. Revenue~~

~~1. Special Taxes~~

~~64610. (a) Subject to Section 4 of Article XIII A of the California Constitution, and approval by the executive board before the measure is placed on the ballot, the authority may impose, by resolution, a parcel tax within the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(b) "Parcel tax" means a special tax imposed upon a parcel of real property at a rate that is determined without regard to that property's value and that applies uniformly to all taxpayers or all real property within the jurisdiction of the local government. "Parcel tax" does not include a tax imposed on a particular class of property or taxpayers.~~

~~(c) The authority shall provide notice of any parcel tax imposed pursuant to this section in the manner specified in Section 54930.~~

~~64611.(a)(1)The authority may impose, subject to approval by the executive board before placement on the ballot, by resolution, a special tax, measured by gross receipts, for the privilege of engaging in any kind of lawful business transacted in the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(2)The resolution imposing a special tax pursuant to this subdivision may provide for the following:~~

~~(A)Variable rates based on the business sector of each person subject to the tax.~~

~~(B)Exemptions for small businesses.~~

~~(C)Collection of the tax by suit or otherwise.~~

~~(b)If the authority levies a special tax pursuant to subdivision (a) upon a business operating both within and outside the authority's taxing jurisdiction, the authority shall levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.~~

~~(c)A special tax levied pursuant to subdivision (a) shall not apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or leader of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.~~

~~64612.(a)(1)Subject to concurrence of the executive board before the measure is placed on the ballot, the authority may impose, by resolution, a special tax measured by the number of employees employed by the taxpayer for the privilege of engaging in any kind of lawful business activity transacted in the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Section 64521, and any other applicable procedures provided by law.~~

~~(2)The resolution imposing a special tax pursuant to this subdivision may provide for collection of the tax by suit or otherwise.~~

~~(b)If the authority levies a special tax pursuant to subdivision (a) upon a business operating both within and outside the authority's taxing jurisdiction, the authority shall levy the tax so that the measure of tax fairly reflects that proportion of the taxed activity actually carried on within the taxing jurisdiction.~~

~~(c)A special tax levied pursuant to subdivision (a) shall not apply to any nonprofit organization that is exempted from taxes by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, or the successor of either, or to any minister, clergyman, Christian Science practitioner, rabbi, or leader of any religious organization that has been granted an exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code or a successor to that section.~~

~~64613.An action to determine the validity of any special taxes levied pursuant to this article may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.~~

~~2.Commercial Linkage Fee~~

~~64620.As used in this article:~~

~~(a)"Commercial development project" means any project involving the issuance of a permit by an underlying land use jurisdiction for construction or reconstruction that is undertaken within the San Francisco Bay area for the development of land for commercial use, but does not include any project involving solely a permit to operate.~~

~~(b)"Commercial linkage fee" means a monetary exaction, other than a tax or special assessment, established for a broad class of projects by legislation of general applicability that is charged to an applicant in connection~~

~~with the approval of a commercial development project by an underlying land use jurisdiction for the purpose of addressing the need for additional housing development necessitated by that commercial development project, as determined pursuant to the nexus study undertaken pursuant to subdivision (b) of Section 64621.~~

~~(c)“Underlying land use jurisdiction” means any of the following entities, as applicable, that has jurisdiction over the approval of a commercial development project:~~

~~(1)The following counties:~~

~~(A)The County of Alameda:~~

~~(B)The County of Contra Costa:~~

~~(C)The County of Marin:~~

~~(D)The County of Napa:~~

~~(E)The County of San Mateo:~~

~~(F)The County of Santa Clara:~~

~~(G)The County of Solano:~~

~~(H)The County of Sonoma:~~

~~(2)A city that is located within the territorial boundaries of any of the counties specified in paragraph (1):~~

~~(3)The City and County of San Francisco:~~

~~64621.(a)(1)The executive board may establish, increase, or impose a commercial linkage fee within the San Francisco Bay area by enactment of a resolution, in accordance with the requirements of this article, that is in addition to any fee, as defined in Section 66000, that is levied by an underlying land use jurisdiction. The board shall ratify, by resolution, any commercial linkage fee or modification to a commercial linkage fee adopted by the executive board.~~

~~(2)(A)A commercial linkage fee may be established, increased, or imposed pursuant to this article by resolution of the executive board that provides for either of the following:~~

~~(i)A variable rate fee assessed on a commercial development project within the San Francisco Bay area that establishes a higher fee in jurisdictions with a greater imbalance between job creation and new housing development and a lower fee or no fee in jurisdictions with lesser imbalance between job creation and new housing development.~~

~~(ii)A flat fee assessed on all commercial development projects within the San Francisco Bay area:~~

~~(B)A resolution establishing or revising the fee shall provide that the amount of the fee required to be paid shall be reduced by the amount that the applicant is required to pay, if any, for a commercial linkage fee imposed by the relevant underlying land use jurisdiction.~~

~~(b)Before establishing, increasing, or imposing a commercial linkage fee, the executive board shall prepare a regional jobs and housing nexus study in order to support the necessity and amount of the fee.~~

~~(c)In any action to establish, increase, or impose a commercial linkage fee, the executive board shall do all of the following:~~

~~(1)Identify the purpose of the commercial linkage fee.~~

~~(2)Determine how there is a reasonable relationship between the fee’s use and the type of commercial development project on which the fee is imposed, based on the regional nexus study prepared pursuant to subdivision (b):~~

~~(3)Determine how there is a reasonable relationship between the need for housing and the type of commercial development project on which the fee is imposed, based on the regional nexus study prepared pursuant to~~

~~subdivision (b):~~

~~(4)Determine how there is a reasonable relationship between the amount of the fee and the cost of the housing necessitated by the commercial development project that is attributable to the development on which the fee is imposed, based on the regional nexus study prepared pursuant to subdivision (b):~~

~~64622.(a)A commercial linkage fee established, increased, or imposed pursuant to this article shall not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621:~~

~~(b)It is the intent of the Legislature in adding this section to codify existing constitutional and decisional law with respect to the imposition of development fees and monetary exactions on developments by local agencies. This section is declaratory of existing law and shall not be construed or interpreted as creating new law or as modifying or changing existing law:~~

~~64623.(a)Before adopting a resolution establishing or imposing a new commercial linkage fee or approving an increase in an existing commercial linkage fee pursuant to this article, the executive board shall hold a public hearing, at which oral or written presentations can be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, shall be published in accordance with Section 6062a:~~

~~(b)Any costs incurred by the executive board in conducting the hearing required pursuant to subdivision (a) may be recovered as part of the commercial linkage fee that is the subject of the hearing:~~

~~64624.(a)Except as otherwise provided in subdivision (c), if the executive board adopts a resolution or other legislative enactment establishing or imposing a new commercial linkage fee or approving an increase in an existing commercial linkage fee, the board shall adopt a resolution concurring with the establishment, imposition, or increase of the fee and each underlying land use jurisdiction shall, as a condition of approving a commercial development project for which it receives an application for a conditional use permit or other discretionary or ministerial approval, require an applicant to pay the amount of commercial linkage fee established, imposed, or increased by the executive board and the authority pursuant to this article. The underlying land use jurisdiction shall provide notice to the applicant that does all of the following:~~

~~(1)Notifies the applicant that the executive board and the authority have established, increased, or imposed a commercial linkage fee pursuant to this article:~~

~~(2)States the amount of commercial linkage fee established, increased, or imposed by the executive board and the authority:~~

~~(3)States that the applicant may protest the commercial linkage fee, as provided in Section 64625, and notifies the applicant that the 90-day period for that protest and the 180-day period for filing an action specified in subdivision (c) of Section 64625 has begun:~~

~~(b)Each underlying land use jurisdiction shall collect and, after deduction of any actual and necessary administrative costs incurred by the underlying land use jurisdiction, remit the amount of commercial linkage fee established, increased, or imposed pursuant to this article to the authority. An underlying land use jurisdiction shall remit the amounts required by this subdivision on or before the last day of the month next succeeding each calendar quarterly period:~~

~~(c)If any amount of commercial linkage fee established, increased, or imposed pursuant to this article is found to be invalid pursuant to Section 64625, each underlying land use jurisdiction shall immediately cease collection of the commercial linkage fee:~~

~~64625.(a)Any party may protest the imposition of a commercial linkage fee imposed on a commercial development project by the executive board and the authority pursuant to this article as follows:~~

~~(1)The party shall pay the total amount of commercial linkage fee required by the resolution enacted pursuant to Section 64621, or providing satisfactory evidence of arrangements to pay the commercial linkage fee when due, in accordance with Section 64624:~~

~~(2)Serving a written notice on the board and the legislative body of the relevant underlying land use jurisdiction that contains all of the following information:~~

~~(A)A statement that the required payment is tendered or will be tendered when due under protest.~~

~~(B)A statement informing the board and legislative body of the underlying land use jurisdiction of the factual elements of the dispute and the legal theory forming the basis for the protest.~~

~~(b)Compliance by any party with subdivision (a) shall not be the basis for an underlying land use jurisdiction to withhold approval of any map, plan, permit, zone change, license, or other form of permission, or concurrence, whether discretionary, ministerial, or otherwise, incident to, or necessary for, the commercial development project. This section does not limit the ability of an underlying land use jurisdiction to ensure compliance with all applicable provisions of law in determining whether or not to approve or disapprove a commercial development project.~~

~~(c)(1)A protest filed pursuant to subdivision (a) shall be filed at the time of approval or conditional approval of the commercial development project or within 90 days after the date of the imposition of the commercial linkage fee to be imposed on a commercial development project.~~

~~(2)Any party who files a protest pursuant to subdivision (a) may file an action to attack, review, set aside, void, or annul the imposition of the commercial linkage fee imposed on a commercial development project within 60 days after the delivery of the notice required by subdivision (a) of Section 64624. Thereafter, notwithstanding any other law, all persons shall be barred from any action or proceeding or any defense of invalidity or unreasonableness of the imposition. Any proceeding brought pursuant to this subdivision shall take precedence over all matters of the calendar of the court except criminal, probate, eminent domain, forcible entry, and unlawful detainer proceedings.~~

~~(d)(1)If the court grants a judgment to a plaintiff invalidating, as enacted, all or a portion a resolution establishing, increasing, or imposing a commercial linkage fee, the court shall direct the authority to refund the unlawful portion of the payment, plus interest at an annual rate equal to the average rate accrued by the Pooled Money Investment Account during the time elapsed since the payment occurred, or to return the unlawful portion of the exaction imposed.~~

~~(2)If an action is filed within 120 days of the date at which a resolution to establish or modify a commercial linkage fee to be imposed on a commercial development project takes effect, the portion of the payment or exaction invalidated shall also be returned to any other person who, under protest pursuant to this section and under that invalid portion of that same resolution as enacted, tendered the payment or provided for or satisfied the exaction during the period from 90 days prior to the date of the filing of the action which invalidates the payment or exaction to the date of the entry of the judgment referenced in paragraph (1).~~

~~(e)The imposition of a commercial linkage fee occurs, for the purposes of this section, when it is imposed or levied on a specific commercial development project.~~

~~64626.(a)In any judicial action or proceeding to validate, attack, review, set aside, void, or annul any resolution providing for the establishment, increase, or imposition of a commercial linkage fee pursuant to this article in which there is an issue whether the fee is a special tax within the meaning of Section 50076, the executive board and the authority shall have the burden of producing evidence to establish that the commercial linkage fee does not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621.~~

~~(b)A party may only initiate any action or proceeding pursuant to subdivision (a) if both of the following requirements are met:~~

~~(1)The commercial linkage fee was directly imposed on the party as a condition of project approval, as provided in Section 64624.~~

~~(2)At least 30 days before initiating the action or proceeding, the party requests that the executive board provide a copy of the documents, including, but not limited to, the regional nexus study prepared pursuant to~~

~~subdivision (b) of Section 64621, that establish that the commercial linkage fee does not exceed the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed. In accordance with subdivision (b) of Section 6253, the executive board may charge a fee for copying the documents requested pursuant to this paragraph.~~

~~(c)For purposes of this section, costs shall be determined in accordance with fundamental fairness and consistency of method as to the allocation of costs, expenses, revenues, and other items included in the calculation.~~

~~64627.(a)Any person may request an audit in order to determine whether any fee or charge levied by the executive board and the authority exceeds the amount necessary to cover the reasonable cost of providing the housing necessitated by the commercial development project for which the commercial linkage fee is imposed, as determined in the regional nexus study pursuant to subdivision (b) of Section 64621. If a person makes that request, the executive board and the authority may retain an independent auditor to conduct an audit to determine whether the commercial linkage fee is reasonable, but is not required to conduct the audit if an audit has been performed for the same fee within the previous 12 months.~~

~~(b)If an audit pursuant to this section determines that the amount of any commercial linkage fee or charge does not meet the requirements of this article, the executive board and the authority shall adjust the fee accordingly.~~

~~(c)The authority shall retain an independent auditor to conduct an audit only if the person who requests the audit deposits with the authority the amount of the executive board's and the authority's reasonable estimate of the cost of the independent audit. At the conclusion of the audit, the authority shall reimburse unused sums, if any, or the requesting person shall pay the authority the excess of the actual cost of the audit over the sum which was deposited.~~

~~(d)Any audit conducted by an independent auditor pursuant to this section shall conform to generally accepted auditing standards.~~

~~(e)This section shall not be construed as granting any additional authority to any local agency to levy any fee or charge which is not otherwise authorized by another provision of law, nor shall its provisions be construed as granting authority to any local agency to levy a new fee or charge when other provisions of law specifically prohibit the levy of a fee or charge.~~

~~64628.Any action by the executive board and the authority or interested person under this article shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.~~

3.Bonds

~~64630.The board may, by majority vote, initiate proceedings to issue bonds pursuant to this chapter by adopting a resolution stating its intent to issue the bonds.~~

~~64631.The resolution adopted pursuant to Section 64630 shall contain all of the following information:~~

~~(a)A description of the facilities or developments to be financed with the proceeds of the proposed bond issue.~~

~~(b)The estimated cost of the facilities or developments, the estimated cost of preparing and issuing the bonds, and the principal amount of the proposed bond issuance.~~

~~(c)The maximum interest rate and discount on the proposed bond issuance.~~

~~(d)The date of the election on the proposed bond issuance and the manner of holding the election.~~

~~(e)A determination of the amount of tax revenue available or estimated to be available, for the payment of the principal of, and interest on, the bonds.~~

~~(f)A finding that the amount necessary to pay the principal of, and interest on, the proposed bond issuance will be less than, or equal to, the amount determined pursuant to subdivision (e).~~

~~64632.(a)Except as otherwise provided in subdivision (b), the clerk of the board shall publish the resolution~~

~~adopted pursuant to Section 64630 once a day for at least seven successive days in a newspaper published in each county in the San Francisco Bay area at least six days a week, or at least once a week for two successive weeks in a newspaper published in a county less than six days a week.~~

~~(b) If there are no newspapers meeting the criteria specified in subdivision (a), the resolution shall be posted in three public places within each county in the San Francisco Bay area for two succeeding weeks.~~

~~64633.(a) The authority shall submit the proposal to issue bonds to the voters who reside within the San Francisco Bay area in accordance with Section 64521 and this section.~~

~~(b) Ballots for the special election authorized by subdivision (a) may be distributed to qualified electors by mail with return postage prepaid or by personal service by the election official. The official conducting the election may certify the proper mailing of ballots by an affidavit, which shall be exclusive proof of mailing in the absence of fraud. The voted ballots shall be returned to the election officer conducting the election not later than the hour specified in the resolution calling the election. However, if all the qualified voters have voted, the election shall be closed.~~

~~64634.(a) Bonds may be issued if two-thirds of the voters voting on the proposition vote in favor of issuing the bonds.~~

~~(b) If the voters approve the issuance of the bonds as provided by subdivision (a), the board shall proceed with the issuance of the bonds by adopting a resolution that shall provide for all of the following:~~

~~(1) The issuance of the bonds in one or more series.~~

~~(2) The principal amount of the bonds that shall be consistent with the amount specified in subdivision (b) of Section 64631.~~

~~(3) The date the bonds will bear.~~

~~(4) The date of maturity of the bonds.~~

~~(5) The denomination of the bonds.~~

~~(6) The form of the bonds.~~

~~(7) The manner of execution of the bonds.~~

~~(8) The medium of payment in which the bonds are payable.~~

~~(9) The place or manner of payment and any requirements for registration of the bonds.~~

~~(10) The terms of call or redemption, with or without premium.~~

~~(c) If any proposition submitted to the voters pursuant to this part is defeated by the voters, the authority shall not submit, or cause to be submitted, a similar proposition to the voters for at least one year after the first election.~~

~~(d) Every two years after the issuance of bonds pursuant to this section, the authority shall contract for an independent financial and performance audit. The audit shall be conducted according to guidelines established by the Controller. A copy of the completed audit shall be provided to the Controller, the Director of Finance, and to the Joint Legislative Budget Committee.~~

~~64635. The board may, by majority vote, provide for refunding of bonds issued pursuant to Section 64634. However, refunding bonds shall not be issued if the total net interest cost to maturity on the refunding bonds plus the principal amount of the refunding bonds exceeds the total net interest cost to maturity on the bonds to be refunded.~~

~~64636.(a) The authority or any person executing the bonds issued pursuant to Section 64634 shall not be personally liable on the bonds by reason of their issuance. The bonds and other obligations of the authority issued pursuant to Section 64634 are not a debt of any city or county, the Association of Bay Area Governments, the Metropolitan Transportation Commission or any of its affiliated entities, or of the state or of~~

~~any of its political subdivisions, other than the authority, and neither a city or county nor the state or any of its political subdivisions, other than the authority, shall be liable on the bonds, and the bonds or obligations shall be payable exclusively from funds or properties of the authority. Bonds issued pursuant to Section 64634 shall contain a statement to this effect on their face:~~

~~(b)If any member of the boards whose signature appears on bonds issued pursuant to Section 64634 ceases to be a member of the board before delivery of the bonds, that member's signature shall be as effective as if the member had remained in office:~~

~~64637.(a)The bonds issued pursuant to Section 64634 may be sold at discount not to exceed 5 percent of par at public sale. At least five days before the sale, notice shall be published, pursuant to Section 6061, in a newspaper of general circulation and in a financial newspaper published in the City and County of San Francisco and in the City of Los Angeles. The bonds may be sold at not less than par to the federal government at private sale without any public advertisement.~~

~~(b)Bonds issued pursuant to Section 64634 are fully negotiable:~~

~~64638.An action to determine the validity of bonds issued pursuant to Section 64634 may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure:~~

~~3.Expenditures~~

~~64650.(a)Revenue generated pursuant to this part shall be used for the construction of new affordable housing, affordable housing preservation, tenant protection programs, and general funds made available to local jurisdictions as an incentive to achieve or reward for achieving affordable housing benchmarks to be established by the authority and executive board as follows:~~

~~(1)Subject to funding eligibility and adjustment pursuant to paragraph (2), the authority shall distribute the revenues derived from any special tax imposed pursuant to Article 1 (commencing with Section 64610) of Chapter 2 and the proceeds of bonds issued pursuant to Article 2 (commencing with Section 64620) of Chapter 2 for the region in a manner that achieves the following minimum shares over a five-year period commencing after revenue is approved by voters as follows:~~

~~(A)A minimum of 50 percent for production of housing units affordable to lower income households. Funding for production programs may be used for either of the following:~~

~~(i)To finance the development and construction of affordable housing for at least 55 years.~~

~~(ii)To acquire land for the purpose of building affordable housing:~~

~~(B)A minimum of 5 percent for tenant protection programs. The authority, with concurrence of the executive board, shall prioritize nonbond proceeds revenue sources for tenant protection programs to meet the minimum requirement of this subparagraph. Funding for tenant protection programs may be used for any of the following:~~

~~(i)Legal aid, including representation in eviction proceedings, preeviction legal services, and legal education and awareness for communities:~~

~~(ii)Providing emergency rental assistance for lower income households. Rental assistance provided pursuant to this clause shall not exceed 48 months for each assisted household, and rent payments shall not exceed two times the current fair market rent for the local area, as determined by the United States Department of Housing and Urban Development pursuant to Part 888 of Title 24 of the Code of Federal Regulations:~~

~~(iii)Providing relocation assistance for lower income households:~~

~~(iv)Collection and tracking of information related to displacement risk and evictions in the region:~~

~~(C)A minimum of 15 percent for preservation of housing affordable to low or moderate income households. Funding for preservation programs may be used to acquire, rehabilitate, and preserve existing affordable housing units, in order to prevent the loss of affordable housing:~~

~~(D)A minimum of 5 percent and a maximum of 10 percent for general funds awarded to a local government~~

~~that achieves affordable housing benchmarks established by the authority and executive board. Subject to any limitations on the funding source, including limitations on the use of bond proceeds, eligible expenditures pursuant to this subparagraph include, but are not limited to the following:~~

- ~~(i) Staffing costs to help accelerate the production of housing in a jurisdiction;~~
- ~~(ii) Infrastructure needs associated with increased housing production, including, but not limited to, transportation, schools, and parks;~~
- ~~(iii) Homeless shelters, infrastructure to support those shelters, and supportive services and related programs that serve the homeless;~~

~~(2) Subject to consultation with the advisory committee and a 55 percent approval of the executive board, the authority may, by a 55 percent vote, change the distribution requirements in subparagraph (A), (B), (C), or (D) of paragraph (1) if the executive board and the authority adopt a finding pursuant to this paragraph that the region's needs differ from those requirements. The finding shall be placed on a meeting agenda of the executive board and the authority for discussion at least 30 days before either the executive board or the authority adopt the finding;~~

~~(3) The authority shall distribute the revenues derived from a commercial linkage fee established, increased, or imposed pursuant to Article 2 (commencing with Section 64620) of Chapter 2 to each city or county in a manner that is consistent with the nexus fee adopted by the executive board. A city or county that receives revenues pursuant to this paragraph shall use that revenue solely for the production of housing units necessitated by a commercial development project on which the fee was imposed, as determined by the executive board pursuant to Section 64621;~~

~~(b) Except as otherwise provided in paragraph (3) of subdivision (a), the authority may allocate funds directly to a city, a county, a public entity, or a private project sponsor;~~

~~(c)(1) Subject to paragraph (3) of subdivision (a), the authority shall distribute funds received through the funding measures authorized in Sections 64610 and 64611 as follows:~~

~~(A) At least 75 percent of the revenue received shall be allocated to the county of origin for expenditure in that county. Each county board of supervisors shall determine the appropriate entity within their county to administer the funds. Counties may use up to 3 percent of these funds for administrative purposes to assist with the delivery of the expenditure plan in their county;~~

~~(B) Up to 25 percent of the revenue received shall be collected by the authority for expenditures consistent with the purposes set forth in subdivision (a) and shall be eligible to be spent in any county in which the measure is in effect. These funds can also be leveraged and grown for reinvestment in affordable housing;~~

~~(2) Subject to paragraph (3) of subdivision (a), the authority shall distribute funds received through the funding measure authorized in Section 64512 as follows:~~

~~(A) At least 50 percent of the revenue received shall be allocated to the county of origin. Each county board of supervisors shall determine the appropriate entity within their county to administer the funds allocated to their county. Counties may use up to 3 percent of these funds for administrative purposes to assist with the delivery of the expenditure plan in their county;~~

~~(B) Up to 50 percent of the revenue received shall be collected by the authority for expenditures consistent with the purposes set forth in subdivision (a) and shall be eligible to be spent in any county in which the measure is in effect;~~

~~(3) For funds distributed pursuant to subparagraph (A) of paragraph (1) and subparagraph (A) of paragraph (2), counties shall provide a direct allocation to a city in their county if it is one of the three largest cities in the nine-county region, as determined on the basis of the most recent population estimate by the Department of Finance. The allocation shall be based on the city's share of the county's regional housing need allocation for very low, low, and moderate income households;~~

~~(4) The executive board and the authority shall, in consultation with the advisory committee, adopt a regional~~

~~expenditure plan for the use of any available funds pursuant to subparagraph (B) of paragraph (1) and subparagraph (B) of paragraph (2) by July 1 of each year. The expenditure plan shall set forth the share and estimated funding amount to be spent on each of the categories as established in subdivision (a), indicate the household income levels to be served within each category of expenditures, and estimate the number of affordable housing units to be built or preserved.~~

~~(5)Each county shall submit an expenditure plan to the authority as follows:~~

~~(A)The expenditure plan shall be submitted by July 1 of each year.~~

~~(B)To be deemed complete, the expenditure plan shall specify the proposed allocation of funds for the next 12 months, as follows:~~

~~(i)The proposed share of revenues to be allocated to the construction of new affordable housing, affordable housing preservation, and tenant protection programs. The plan shall include a minimum allocation of 50 percent towards construction of new affordable housing, 15 percent towards affordable housing preservation, and 5 percent towards tenant protection programs, unless the county adopts a finding and the executive board and the authority concur that those minimum targets are inconsistent with subdivision (a) or are otherwise not feasible or are otherwise not the best use of funds to achieve the county's regional housing need allocation.~~

~~(ii)The plan shall include a description of any specific project or program proposed to receive funding, including the location, amount of funding, and anticipated outcomes.~~

~~(iii)Commencing with the second year, each county shall include in its expenditure plan a report on its allocations and expenditures to date of projects funded and the extent to which the minimum targets in subdivision (a) were achieved.~~

~~(6)If the authority determines, by a vote of its board, that a county has not submitted a complete expenditure plan pursuant to the requirements of subparagraph (B) of paragraph (2), the authority may, by a vote of its board, withhold allocation of revenues to a county until the county submits a complete expenditure plan.~~

~~(7)The authority shall post each completed expenditure plan on its internet website.~~

~~(8)A county may request the authority to administer its share of the funds pursuant to paragraphs (1) and (2). If the authority agrees to administer the funds, it shall develop and adopt an annual expenditure plan that shall be jointly approved by the authority and the executive board, and projects allocated according to that plan shall be subject to the same timelines described in paragraph (9).~~

~~(9)After funds administered by a county pursuant to subparagraph (A) of paragraph (1) and subparagraph (A) of paragraph (2) are committed to a specific project, they shall remain available for expenditure for three years. However, the authority may authorize expenditure beyond three years pursuant to guidelines that shall be reviewed and adopted by the executive board and the authority. The authority and the executive board may adopt further guidelines designed to expedite the use of these funds.~~

~~(10)Funds allocated to a city pursuant to paragraph (3) shall be committed to a specific project within five years of receipt. Once committed to a specific project, funds shall be remain available for expenditure for an additional three years. However, the authority may authorize expenditure beyond those additional three years. The authority may require that any funds allocated to a city pursuant to paragraph (3) that are not committed to a specific project within three years shall be transferred to the authority for use in any county in which the measure appeared on the ballot.~~

~~(d)The authority shall be entitled to up to 3 percent of funds for program administration.~~

~~64651.The authority shall monitor expenditures in coordination with local jurisdictions:~~

~~64652.To ensure oversight and accountability, the authority shall provide an annual report on allocations and expenditures under its control, which shall include a tracking of projects funded and the extent to which the minimum targets in subdivision (a) of Section 64650 were achieved.~~

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute

cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely severe shortage of available funding and resources for the development and preservation of affordable housing and the particularly acute nature of the housing crisis within the nine counties of the San Francisco Bay area region.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

AGENDA ITEM 8c - Attachment C

Pat Eklund

From: Pat Eklund <peklund@novato.org>
Sent: Monday, July 8, 2019 6:10 PM
To: assemblymember.chiu@assembly.ca.gov; David.Chiu@asm.ca.gov
Cc: Erin.Baum@asm.ca.gov; senator.moorlach@senate.ca.gov; senator.Beall@senate.ca.gov; Senator.Hertzberg@senate.ca.gov; External_eklund; Senator Mike McGuire; Scott.weiner@senate.ca.gov; Jim.Nielsen@senate.ca.gov; Melissa.Hurtado@senate.ca.gov; assemblymember.levine@assembly.ca.gov
Subject: Questions on AB 1487

Assembly member Chiu. After reviewing the latest changes to AB 1487, there are a few questions and clarifications needed prior to the hearing scheduled for Wednesday, July 10, 2019.

- 1) What are the powers of the Authority, as defined, and what are the powers of the Executive Board? What happens when there is a disagreement? How are those differences reconciled?
- 2) Why does this bill empower the Metropolitan Transportation Commission to 'serve as the governing board of the authority'? Shouldn't the Executive Board who currently has the legal authority for housing, be the entity to serve as the governing board of the authority?
- 3) Section 64511(a)(1) states: "The executive board shall review and approve projects authorized by this chapter prior to review, approval, and allocation by the authority." Why doesn't the Executive Board make the decisions since they are the Council of Governments with legal authority over housing issues?
- 4) Does this bill empower the new authority to legally buy and sell property including land. If so, which sections provide that authority?
- 5) If local governments are collecting a commercial linkage fee that is imposed by the Executive Board and/or the authority, where is the provision for local governments to be reimbursed for the costs associated with collecting and dispersing the commercial linkage fee to the authority?
- 6) This bill empowers the authority to place a revenue measure on the ballot to institute a parcel tax. Please clarify whether this parcel tax would be on commercial and/or residential properties?

thanks for providing additional clarification on these issues.

Pat Eklund, Council Member
City of Novato
415-883-9116