

**Metropolitan Transportation Commission
Programming and Allocations Committee**

June 14, 2023

Agenda Item 3b - 23-0758

MTC Resolution Nos. 4570, 4571, 4572, and 4573

Subject:

Allocation of \$482 million in FY2023-24 Transportation Development Act (TDA), State Transit Assistance (STA), Regional Measure 2 (RM2), and AB1107 funds to 5 transit operators and MTC to support transit operations and capital projects in the region.

Background:

This month’s proposed actions begin the annual allocation process of these funds for FY2023-24. Five entities are requesting TDA, STA, RM2, and/or AB1107 allocations this month that exceed the \$1 million Delegated Authority limit. Allocation requests that are less than \$1 million are approved separately through the Executive Director’s Delegated Authority process. These funds comprise a significant share of the revenue for agencies’ operating budgets.

The proposed allocation amounts are based on the programming levels identified in the FY 2023-24 Fund Estimate (MTC Resolution 4556) and the RM2 Operating Program (MTC Resolution 4569). The proposed allocations are summarized in the following table:

Allocation Amounts by Entity¹ (amounts in millions)

Entity	TDA (Res. 4570)	STA (Res. 4571)	RM2 (Res. 4572)	AB 1107 (Res. 4573)	Grand Total
AC Transit	\$107.0	\$53.0	\$11.0	\$52.0	\$223.0
CCCTA	\$29.6	\$7.7			\$37.3
LAVTA	\$11.5	\$2.4			\$13.9
NVTA	\$10.2	\$3.2			\$13.4
VTA	\$140.0	\$45.1			\$185.1
MTC		\$7.7	\$1.6		\$9.3
Total	\$298.3	\$119.1	\$12.6	\$52.0	\$482.0

Note that amounts may not sum due to rounding

¹ Includes all allocations to be approved in the resolutions listed above, the details of which are provided in Attachment A, including allocations for transit capital or planning and administration. Not inclusive of allocations approved by Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised.

Information regarding the FY 2023-24 operating budgets and current and future operations for the transit operators included in the list above is provided in Attachment A. The MTC share of the Clipper operating budget is estimated to be \$35.3 million of the total \$66.1 million. STA and RM2 funds are estimated to provide \$14 million of revenue toward MTC's cost share, \$9.3 million of which will be allocated in June.

Issues:

The \$4.4 billion in federal pandemic relief funds received by Bay Area transit operators have supported the continued provision of robust transit service throughout the past three years of the COVID-19 pandemic, despite severely depressed revenues from fares and other local sources. As these federal funds are exhausted over the coming years and fares and other local revenues remain below historical averages, many of the region's transit operators project significant near-term operating shortfalls and are seeking financial support from the state legislature to ensure transit service can remain available to meet the demands of the public. MTC continues to work closely with Bay Area transit operators to examine and refine the factors and assumptions used to project future operating costs and revenues, with a focus on fostering the development of consistent and reliable assumptions that can be used to project near-term needs for Bay Area transit operators.

Recommendations:

Refer MTC Resolution No. 4570, 4571, 4572, and 4573 to the Commission for approval.

Attachments:

- Attachment A – Transit Operator Budget Summary
- MTC Resolution No. 4570, 4571, 4572, and 4573



Andrew B. Fremier

Attachment A – Transit Operator Budget Summary

VTA

Adopted Operating Budget	\$601.5 million
Increase in Budget compared to FY2022-23	8.5%
Current Average Ridership Change (Feb 2023 to Feb 2020) ¹	-34%
Total Proposed FY2023-24 Operating Allocation ²	\$185 million
Proportion of Operating Budget Funded with Allocations	30.8%

Budget and Operating Highlights

VTA operates 47 bus routes and three light rail lines spanning across 346 square miles in Santa Clara County. In addition, VTA funds contracted paratransit and shuttle services in the county and participates in providing inter-regional commuter rail and express bus services. VTA’s efforts to return to full pre-pandemic service levels culminated in the VTA Board of Directors unanimously adopting the 2023 Transit Service Plan in October 2022. This updated plan makes slight improvements that adjust to emergent post-pandemic rider needs and re-establishes the full-service levels originally approved in the 2019 New Transit Service Plan by Fiscal Year 2024-25.

VTA’s FY 2023-24 Proposed Operating Budget is comprised of \$601.5 million in expenses, which represents an 8.5% increase from FY2022-23. This increase is comprised primarily of higher personnel and fuel costs that can be attributed to inflationary and contractual increases. Of this amount, \$185 million (30.8%) is funded by TDA or STA revenue. For TDA, the proposed budget includes a \$9.6 million set-aside to proactively offset a loss of revenue anticipated following an October 2019 ruling by the California Department of Tax and Fee Administration

¹ VTA redesigned its transit network in 2019, officially implemented in February 2020. Therefore, the ridership comparison is based on the February 2020 as the original baseline to compare recovery to date.

² Includes allocations made through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Any allocations made by Delegated Authority will be reported as part of the quarterly Delegated Authority update to the Commission. Excludes allocations made for transit capital or planning and administration purposes.

(CDTFA). This rule changed the allocation of taxes paid by web-based market facilitators to be allocated to the point of delivery as opposed to the point of sale, impacting revenues to VTA. Even though VTA continues to work with MTC and the County of Santa Clara staff to determine the overall impact of the ruling and reallocation of sales tax for Santa Clara County over multiple years, this proactive approach will render a reserve balance of approximately \$40.8 million by June 30, 2023 to offset the amount payable to CDTFA.

VTA is currently in the process of hiring and training more operational staff in order to restore service. Current major capital projects at VTA include the BART to Silicon Valley Phase 2, and Eastridge to BART Regional Connector (EBRC).

AC Transit

Adopted Operating Budget	\$545.6 million
Increase in Budget compared to FY2022-23	0.1%
Current Average Ridership Change (March 2023 to March 2019)	-23.5%
Total Proposed FY2023-24 Operating Allocation ¹	\$223.0 million
Proportion of Operating Budget Funded with Allocations	40.9%

Budget and Operating Highlights

Alameda-Contra Costa Transit District (AC Transit) is a bus-based transit system that serves a market of suburban and urban travel in Alameda and Contra Costa Counties. The service area includes over 360 square miles with more than 100 bus lines and nearly 300,000 daily riders. Service includes local lines, Transbay routes, Rapid routes, Tempo Bus Rapid Transit service, Dumbarton Express, Paratransit, and Supplementary Service to Schools.

The transit system has experienced a decline in ridership due to the COVID-19 pandemic but expects to see a steady recovery in ridership over the next few years. AC Transit has surpassed 50% of pre-pandemic ridership levels and continues to see ridership growth, though lagging farebox revenues continue to be a challenge for the agency.

The Draft FY 2023-24 Operating Budget is balanced, with projected revenue of \$545.6 million, representing a slight increase from the previous year. Farebox revenue is expected to increase by 9.4% due to a gradual increase in ridership, while property and parcel taxes are budgeted at \$167.3 million, and sales taxes are projected to increase by 3.5%. Other federal, state, and local revenues are expected to increase by 18.9%, primarily due to an increase in state transit assistance funding, offsetting a 42.6% projected decrease in federal emergency funds. The Draft

¹ Includes allocations made through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Any allocations made by Delegated Authority will be reported as part of the quarterly Delegated Authority update to the Commission. Excludes allocations made for transit capital or planning and administration purposes.

FY 2023-24 Capital Budget includes a projected spending plan of \$110.7 million, comprised of \$92.3 million in grant funds and \$18.4 million in District Capital funds.

AC Transit has launched the Realign Plan to evaluate every bus line in response to pandemic-induced changes in public transit patterns. The plan will incorporate rider feedback through surveys, meetings, and one-on-one conversations and assess the movement of its fleet across 13 cities and unincorporated areas. AC Transit is committed to providing a sustainable, reliable, and convenient transit system and is exploring new technologies and innovative solutions to achieve this long-term vision.

CCCTA

Adopted Operating Budget	\$49.3 million
Increase in Budget compared to FY2022-23	4.3%
Current Average Ridership Change (Feb 2023 to Feb 2019)	-15.7%
Total Proposed FY2023-24 Operating Allocation ¹	\$37.3 million
Proportion of Operating Budget Funded with Allocations	60.2%

Budget and Operating Highlights

Central Contra Costa Transit Authority (“County Connection”) operates fixed-route bus and ADA paratransit (County Connection LINK) service in and around central Contra Costa County. County Connection operates a fleet of 125 fully accessible transit buses and 63 paratransit vehicles and serves a mixed market of commuters, suburban residents, and people with disabilities covering 200 square miles.

The agency has experienced ridership and fare revenue recovery post-COVID-19, with fares projected to reach 60% of pre-pandemic levels for FY2023-24 and 70% of pre-pandemic levels by FY2026-27.

County Connection’s FY2023-24 draft budget proposes \$49.3 million in operational expenses for fixed route and paratransit services, offset by revenues, and \$6.7 million in capital expenditures. The operating expense budget is a 4.3% increase over FY2022-23, assuming filled vacant operator positions, and the capital budget includes multi-year facility upgrades funded by TDA capital funds.

County Connection has projected costs to convert the fleet to a zero-emission bus mixed fleet of electric and fuel cell buses, including infrastructure costs, per the adopted ZEB Rollout Plan. The capital budget of \$6.7 million includes several necessary facility maintenance and modernization

¹ Includes allocations made through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Any allocations made by Delegated Authority will be reported as part of the quarterly Delegated Authority update to the Commission. Excludes allocations made for transit capital or planning and administration purposes.

projects, such as fuel tank replacement, hydraulic lift replacement, concrete pad repairs, expansion of the upper parking lot, and necessary elevator improvements in both buildings. These projects are expected to take place during the next few years and will be funded with TDA capital funds. County Connection's long-term vision is to continue to improve customer experience and operational efficiency.

LAVTA

Adopted Operating Budget	\$24.6 million
Increase in Budget compared to FY2022-23	1.6%
Current Average Ridership Change (Feb 2023 to Feb 2019)	-25%
Total Proposed FY2023-24 Operating Allocation ¹	\$24.6 million
Proportion of Operating Budget Funded with Allocations	44.3%

Budget and Operating Highlights

The Livermore Amador Valley Transit Authority (LAVTA) is the provider of the Wheels fixed-route bus and paratransit service in the Tri-Valley region of California, serving the cities of Livermore, Dublin, Pleasanton, and surrounding areas for a total service area of 40 square miles. LAVTA’s routes service two BART stations, both East and West Dublin/Pleasanton, plus the downtown Livermore Transit Center. LAVTA currently runs fixed-route bus service, complementary ADA service, and a TNC program called Go Tri-Valley.

LAVTA has experienced a gradual recovery in ridership since the pandemic began, with ridership currently at approximately 75% of pre-pandemic levels. Prior to the pandemic LAVTA’s riders were a mix of commuters, students, and transit dependent individuals; however, for the last few years, the majority of riders have been transit-dependent riders and students. The service is heavily reliant on TDA/STA funding, with over 58% of its funding coming from these sources. Fare revenue accounts for a small portion of revenue, at less than 10%.

The agency’s Operating and Capital Budget for FY 2023-24 shows an operating budget of \$24.6 million, reflecting an overall increase of 1.6% from the FY 2022-23 budget. The increase is due to contractual increases in the cost of fixed route operations and maintenance. Even with the increase in expenses, the budget has been balanced without dipping into reserves, largely due to

¹ Includes allocations made through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Any allocations made by Delegated Authority will be reported as part of the quarterly Delegated Authority update to the Commission. Excludes allocations made for transit capital or planning and administration purposes.

one-time Federal Funds received for FY 2023-24. LAVTA has funds in reserve, and the authority maintains more than the board-approved goal of 3-6 months of operating funds. The operating budget also assumes a full resumption of pre-pandemic levels of service to be restored in FY 2023-24. This will largely depend on LAVTA contractors' ability to staff up the operator workforce.

Looking forward, reducing LAVTA's carbon footprint is a near-term emphasis area. To date, LAVTA has acquired 16 diesel electric hybrid buses, and begun design work on a Hydrogen Fueling Station at LAVTA's Atlantis Facility. Additionally, LAVTA has recently embarked on an update to their Long-Range Transit Plan, which will focus on responding to changes in travel patterns and demand due to the pandemic and opportunities to support economic development goals and anticipated growth in the Tri-Valley.

NVTA

Adopted Operating Budget	\$15.2 million
Increase in Budget compared to FY2022-23	4.4%
Current Average Ridership Change (Feb 2023 to Feb 2019)	-36%
Total Proposed FY2023-24 Operating Allocation ¹	\$13.4 million
Proportion of Operating Budget Funded with Allocations	75.0%

Budget and Operating Highlights

Napa Valley Transportation Authority (NVTA) operates fixed-route and on-demand transit services in Napa County including Napa Vine (Vine Transit), American Canyon Transit, Calistoga Shuttle, Yountville Trolley, St Helena Shuttle, and VineGo paratransit services. Vine Transit is the fixed-route bus system for Napa County, offering both local routes and regional connections to Solano County transit providers, BART, Capital Corridor, and WETA’s Vallejo Ferry Terminal. NVTA’s Vine Transit Fleet is comprised of 66 vehicles: 42 fixed route buses, 22 paratransit vans, and 2 commuter buses

Since April 2020, NVTA has implemented service modifications to reduce operating costs while still meeting demand in the City of Napa. NVTA will continue to assess ridership data to determine an adjusted fixed route service to meet future demand and anticipates a full return to service in the fall of 2024.

NVTA’s FY2023-24 proposed operating budget is comprised of \$15.2 million in expenses. Of this amount, \$11.4 million (75%) is funded with TDA and STA revenue. \$340,000 in Regional Measure 2 funds support NVTA’s Vine Express Commuter Service, delivering connection from the city of Calistoga to the Vallejo Ferry Terminal in Solano County. Additionally, NVTA is claiming \$2 million in TDA Capital funds for a new maintenance facility to address the growing

¹ Includes allocations made through Executive Director’s Delegated Authority as allowed by MTC Resolution No. 3620, Revised. Any allocations made by Delegated Authority will be reported as part of the quarterly Delegated Authority update to the Commission. Excludes allocations made for transit capital or planning and administration purposes.

needs for transit operations in the region. This brings the total allocation request for FY2023-24 to \$13.4 million. NVTAs operating budget shows an increase of 4.4% which is attributed to an increase in personnel costs, utilities cost, and purchased transportation.

Date: June 28, 2023
W.I.: 1514
Referred by: PAC

ABSTRACT

Resolution No. 4570

This resolution approves the allocation of fiscal year 2023-2024 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution allocates funds to Alameda-Contra Costa Transit District (AC Transit), Central Contra Costa Transit Authority (CCCTA), Livermore Amador Valley Transit Authority (LAVTA), Napa Valley Transportation Authority (NVTA), and Santa Clara Valley Transportation Authority (VTA).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 14, 2023.

Date: June 28, 2023
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2023-24 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4570

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 2021-22 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 2023-24 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 2023-24 TDA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution; and, be it further

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

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

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on June 28, 2023.

Date: June 28, 2023
Referred by: PAC

Attachment A
ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
DURING FISCAL YEAR 2023-24

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 - PUC 99233.7, 99275 Community Transit Service - Operations						
AC Transit	Paratransit Operations	5,450,068	01	06/28/23	AC Transit - Alameda	
CCCTA	Paratransit Operations	1,161,778	02	06/28/23	CCCTA	
VTA	Community Transit	7,001,645	03	06/28/23	Santa Clara County	
		Subtotal	13,613,491			
5802 - PUC 99260A Transit - Operations						
AC Transit	Transit Operations	9,371,107	04	06/28/23	AC Transit - Contra Costa D1	
AC Transit	Transit Operations	19,238,420	05	06/28/23	AC Transit - Alameda D2	
AC Transit	Transit Operations	72,905,948	06	06/28/23	AC Transit - Alameda D1	
CCCTA	Transit Operations	20,770,583	07	06/28/23	CCCTA	
LAVTA	Transit Operations	8,533,007	08	06/28/23	LAVTA	
NVTA	Transit Operations	4,116,200	09	06/28/23	NVTA	
VTA	Transit Operations	133,031,253	10	06/28/23	VTA	
		Subtotal	267,966,518			
5803 - PUC 99260A Transit - Capital						
CCCTA	Transit Capital	7,633,286	11	06/28/23	CCCTA	
LAVTA	Transit Capital	3,000,000	12	06/28/23	LAVTA	
NVTA	Transit Capital	2,000,000	13	06/28/23	NVTA	
		Subtotal	12,633,286			
5807 - PUC 99400C Transit - Operations						
NVTA	Transit Operations	1,022,200	14	06/28/23	NVTA	
		Subtotal	1,022,200			
5812 - PUC 99400D Planning and Administration - Operations						
NVTA	Planning & Administration	3,035,500	15	06/28/23	NVTA	
		Subtotal	3,035,500			
		Total	298,270,995			

Date: June 28, 2023
Referred by: PAC

Attachment B
Resolution No. 4570
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2023-24
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 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

Transportation Development Act Article 4.5 Funds

Public Utilities Code § 99275

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with Public Utilities Code §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 *et seq.*), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and
3. That in accordance with Public Utilities Code § 99275.5(c), MTC finds that the projects and purposes for which each claimant has submitted an application for TDA Article 4.5 funds to MTC, responds to a transportation need not otherwise met in the community of the claimant; that the services of the claimant are integrated with existing transit services, as warranted; that the claimant has prepared and submitted to MTC an estimate of revenues, operating costs and patronage for the fiscal year in which TDA Article 4.5 funds are allocated; and that the claimant is exempt from applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in Public Utilities Code § 99268.5 or MTC Resolution No. 1209, Revised) as provided by PUC § 99268.9; and
4. That the sum of each claimant's total allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount that the claimant is eligible to receive, in accordance with the calculations prescribed by 21 California Code of Regulations § 6634; and

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

Transportation Development Act Article 8 Transit Funds

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

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with Public Utilities Code §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 8 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 California Code of Regulations § 6651), and with the applicable state regulations (21 California Code of Regulations § 6600 et seq.), and with the applicable MTC rules and regulations, including MTC Resolution No. 1209, Revised; and
3. That 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 28, 2023
W.I.: 1514
Referred by: PAC

ABSTRACT

Resolution No. 4571

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2023-24.

This resolution allocates funds to Alameda-Contra Costa Transit District (AC Transit), Central Contra Costa Transportation Authority (CCCTA), Livermore Amador Valley Transit Authority (LAVTA), Napa Valley Transportation Authority (NVTA), Santa Clara Valley Transportation Authority (VTA), and MTC.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheet dated June 14, 2023.

Date: June 28, 2023
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2023-24 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4571

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 2024-24 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 2023-24 allocations requested by claimants, and is from time-to-time revised; and

WHEREAS, this resolution, including the revisions to Attachment A and the sum of all allocations made under this resolution, are recorded and maintained electronically by MTC; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6754, MTC Resolution Nos. 4321 and 4433, and Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required findings MTC must make, as the case may be, pertaining to the various claimants to which funds are allocated; and

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

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

RESOLVED, that MTC approves the allocation of fiscal year 2023-24 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution;

RESOLVED, that, pursuant to 21 Cal. Code of Regs. §§ 6621 and 6753, a certified copy of this resolution, along with written allocation instructions for the disbursement of STA funds as allocated herein, shall be forwarded to the Alameda County Auditor; and, be it further

RESOLVED, that all STA allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan; and, be it further

RESOLVED, this resolution incorporates any revisions to the TDA, either by statute or regulation, made hereafter.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a duly called and noticed meeting held in San Francisco, California and at other remote locations on June 28, 2023.

Date: June 28, 2023
Referred by: PAC

Attachment A
ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
DURING FISCAL YEAR 2023-24

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	Note
5820 - CCR 6730A Operations - Population-based County Block Grant						
AC Transit	Transit Operations	9,243,780	01	06/28/23	AC- Transit Alameda	
AC Transit	Transit Operations	2,841,073	02	06/28/23	AC- Transit Contra Costa	
CCCTA	Transit Operations	6,658,319	03	06/28/23	County Connection	
LAVTA	Transit Operations	2,423,659	04	06/28/23	LAVTA	
VTA	Transit Operations	8,961,946	05	06/28/23	Santa Clara County	
		Subtotal				30,128,777
5820 - CCR 6730A Operations - Population-based MTC Coordination						
MTC	Transit Operations	7,700,000	06	06/28/23	MTC	
		Subtotal				7,700,000
5820 - CCR 6730A Operations - Revenue-based						
AC Transit	Transit Operations	40,947,165	07	06/28/23	AC Transit	
CCCTA	Transit Operations	1,041,145	08	06/28/23	CCCTA	
VTA	Transit Operations	36,100,554	09	06/28/23	VTA	
		Subtotal				78,088,864
5822 - CCR 6731C Paratransit - Operations - Population-based County Block Grant						
NVTA	Paratransit Operations	3,209,927	10	06/28/23	Napa County	
		Subtotal				3,209,927
		Total				119,127,568

Date: June 28, 2023
Referred by: PAC

Attachment B
Resolution No. 4571
Page 1 of 2

ALLOCATION OF FISCAL YEAR 2023-24 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 (STA) 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 STA 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 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
8. That each claimant is in compliance with MTC’s Transit Coordination Implementation Plan, pursuant to Government Code §§ 66516 and 66516.5, PUC §§ 99314.5(c) and §99314.7, and MTC Resolution No. 3866, Revised.

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

ABSTRACT

Resolution No. 4572

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2023-24.

This resolution allocates funds to Alameda-Contra Costa Transit District (AC Transit) and the Metropolitan Transportation Commission (MTC).

Discussion of the allocations made under this resolution are contained in the MTC Programming and Allocations Committee Summary Sheet dated June 14, 2023.

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

Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2023-24

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 4572

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

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California and at other remote locations, on June 28, 2023.

FY 2023-24 ALLOCATION OF REGIONAL MEASURE 2 FUNDS
FOR TRANSIT OPERATIONS AND PLANNING

1. Funding for each route is limited to the amount identified in the FY2023-24 RM2 Operating Program (MTC Resolution 4569).
2. Allocation amounts may be reduced in order to stay within the statutorily mandated RM2 operating program limit of 38% of annual revenue [SHC Section 30915(d)].
3. Payment of RM2 operating funds may be limited to no more than 1/12 of the allocated amount monthly.
4. Operating advances will be considered on a case-by-case basis.
5. RM2 performance requirements are suspended due to the continuing transit impacts resulting from the COVID-19

Claimant	Project Description	Allocation Amount	Allocation Code	Approval Date	Project Number
MTC	Clipper	\$ 1,623,105	01	06/28/23	12
AC Transit	Express Bus Service	\$ 4,371,096	02	06/28/23	4
AC Transit	Dumbarton Bus	\$ 3,007,085	03	06/28/23	5
AC Transit	Owl Bus Service	\$ 1,214,095	04	06/28/23	7
AC Transit	Enhanced/Rapid Bus Service	\$ 2,434,658	05	06/28/23	9
		Total \$ 12,650,039			

Date: June 28, 2023
WI: 1514
Referred by: PAC

ABSTRACT

Resolution No. 4573

This resolution approves the allocation of fiscal year 2023-24 AB 1107 half-cent sales tax funds to AC Transit.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheet dated June 14, 2023.

Date: June 28, 2023
Referred by: PAC

Re: Allocation of Fiscal Year 2023-24 “AB 1107” Half-Cent Sales Tax Funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4573

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 2023-24 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 2023-24 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 2023-24 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

Alfredo Pedroza, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, and at other remote locations, on June 28, 2023.

Date: June 28, 2023
Referred by: PAC

Attachment A
MTC Resolution No. 4573
Page 1 of 1

ALLOCATION OF AB 1107 FUNDS
DURING FISCAL YEAR 2023-24

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 21-22	FY 23-24			
AC Transit	Transit Operations	50%	71%	50% of deposits to MTC's AB 1107 account.	01	06/28/23

ALLOCATION OF FISCAL YEAR 2023-24
 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>Statutory Requirement</i>	<i>AC Transit</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.	YES
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.	YES
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 2021-22 and included with the proposed FY 2023-24 budget demonstrate a fare ratio of greater than 33 percent when considering other local excess revenue. Local revenue includes fares, advertising, Low Carbon Transit Operations funds, General Fund, local sales tax not including TDA, property tax, local revenue such as parking and traffic fees, bridge tolls, and BART sales tax funds.	YES
4. In accordance with Public Utilities Code § 29142.4, MTC may grant, an operator which was in compliance with the 33 percent farebox requirement prior to that date, a credit not to exceed 5 percent to meet that requirement.	N/A