

Date: June 28, 2023  
WI: 1514  
Referred by: PAC  
Revised: 02/28/24-C

ABSTRACT

Resolution No. 4573

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

Attachment A of this resolution was revised on February 28, 2024 to allocate funds to the San Francisco Municipal Transportation Agency.

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

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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  
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Attachment A  
 MTC Resolution No. 4573  
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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
SFMTA	Transit Operations	49%	55%	50% of deposits to MTC's AB 1107 account.	02	02/28/24

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