

Metropolitan Transportation Commission Programming and Allocations Committee

November 9, 2016

Item Number 2c

MTC Resolution Nos. 4230, Revised and 4231, Revised

Subject: Allocation of \$16.4 million in FY2016-17 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to three transit operators to support transit operations in the region.

Background: This month's proposed actions continue the annual allocation process of these funds for FY2016-17. Entities requesting TDA and STA allocations this month that exceed the \$1 million delegated authority limit are identified in the table below. Allocation requests that are less than \$1.0 million are approved separately through the Executive Director's Delegated Authority process. The allocation requests are consistent with the adopted MTC Fund Estimate (Resolution 4220, Revised for TDA and STA funds) and the RM2 Operating Program (MTC Resolution 4228). Allocation requests, greater than \$1.0 million, are summarized below:

Transit Operator/ Claimant	TDA Resolution No. 4230	STA Resolution No. 4231	Total
BART	-	9,134,879	9,134,879
Marin Transit	4,640,233		4,640,233
Union City	2,576,700	-	2,576,700
Total	7,216,933	9,134,879	16,351,812

Information regarding the operating budgets of the above operators is provided in Attachment A. As reported in June, operators are beginning to strategically expand service. After four years of work, Marin Transit implemented a major service change in June and increased service hours by 18% with only a five percent budget increase. BART will expand service in conjunction with the opening of the Warm Springs extension. BART's ability to add additional service is constrained until the new rail cars are added to the fleet. In FY 2015-16, BART increased morning peak capacity by almost seven percent. Union City service remains unchanged. Last fiscal year, Union City restructured service again after major service revisions in 2013 resulted in significant ridership losses.

Issues: None

Recommendation: Refer MTC Resolution Nos. 4230, Revised, and 4231, Revised to the Commission for approval.

Attachments: Attachment A – Transit Operator Budget Summary
MTC Resolution Nos. 4230, Revised and 4231, Revised

Attachment A - Transit Operator Budget Summary

Operator	FY2015-16 Operating Budget	FY2016-17 Operating Budget	% Change	Revenue Vehicle Hours % Increase	FY2016-17 Operating Request*	Allocation Request as a % of Operating Budget	Highlight of FY2016-17 Budgets
BART	\$656,131,526	\$691,537,455	5.4%	2.1%	\$10,264,888	1.5%	<ul style="list-style-type: none"> BART will open the 5.4 mile Warm Springs extension. The FY 2016-17 operating budget also includes pre-revenue service and testing for the Silicon Valley Berryessa extension and e-BART which are both expected to open in FY 2017-18. In FY 2015-16, weekend ridership decreased over 3% when compared to the previous fiscal year. This fiscal year, BART plans to test a promotional free, time-limited round trip tickets that are valid on weekends only to encourage weekend BART use. The cost of wage and benefits are expected to increase 5.7% and accounts for two-thirds of the budget increase.
Marin Transit	\$ 27,833,050	\$ 29,309,290	5.3%	18.3%	\$ 6,280,461	21.4%	<ul style="list-style-type: none"> The operating budget is a 5% increase over the FY 2015-16 budget yet it provides for an 18% increase in service. Actual costs for FY 2015-16 are expected to be 7% less than budgeted. The operating budget for mobility management (including paratransit) decreased by 13% over FY 2015-16 due to new competitively bid operations contract for paratransit. Marin Transit has planned for long term financial stability and by the end of FY 2016-17, Marin Transit expects to have reserves totaling \$18.4 million. The reserve is comprised of 5.5 months of operating funding (2 month emergency reserve and 3.5 month contingency) and \$3.5 million capital funding for future projects.
Union City	\$ 4,478,573	\$ 4,638,689	3.6%	0%	\$ 3,263,344	70.4%	<ul style="list-style-type: none"> The cost of purchased transportation is increasing 3.6% due to contract provisions and accounts for most of the budget increase. In partnership with AC Transit, Transit Signal Priority (TSP) improvements will be made on Hesperian Blvd and Alvarado-Niles Road. All Union City buses will be equipped with TSP equipment. Some funding comes from MTC's Transit Performance Initiative. Clipper implementation is scheduled for Spring 2017.

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

Date: June 22, 2016
Referred by: PAC
Revised: 07/27/16-C 08/31/16-DA
09/28/16-C 10/26/16-C
11/16/16-C

ABSTRACT

Resolution No. 4230, Revised

This resolution approves the allocation of fiscal year 2016-17 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 Rosa.

This resolution was revised on July 27, 2016 to allocate funds to AC Transit, LAVTA, SFMTA, SolTrans, Sonoma County Transit, Tri Delta Transit (ECCTA), and WestCAT (WCCTA).

This resolution was revised on August 31, 2016 by Delegated Authority to rescind funds from AC Transit.

This resolution was revised on September 28, 2016 to allocate funds to CCCTA, Golden Gate Bridge, Highway, and Transportation District (GGBHTD), Napa Valley Transportation Authority, Petaluma, and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on October 26, 2016 to allocate funds to the City of Fairfield to support transit operating and capital projects.

This resolution was revised on November 16, 2016 to allocate funds to Marin Transit and Union City to support transit operations.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 8, 2016, July 13, 2016, September 14, 2016, October 12, 2016, and November 9, 2016.

Date: June 22, 2016
Referred by: PAC

Re: Allocation of Fiscal Year 2016-17 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4230

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 2016-17 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 2016-17 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 2016-17 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



Dave Cortese, 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 22, 2016.

Date: June 22, 2016
 Referred by: PAC
 Revised: 07/27/16-C 08/31/16-DA
 09/28/16-C 10/26/16-C
 11/16/16-C

Attachment A
 MTC Resolution No. 4230
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ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
 DURING FISCAL YEAR 2016-17

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						
AC Transit	Transit Operations	3,319,767	03	07/27/16	Alameda County	
	Subtotal	3,319,767				
5802 - 99260A Transit - Operations						
CCCTA	Transit Operations	18,584,451	01	06/22/16	CCCTA	
Santa Rosa	Transit Operations	5,555,547	02	06/22/16	Santa Rosa	
SFMTA	Transit Operations	2,386,077	04	07/27/16	San Francisco County	1
LAVTA	Transit Operations	9,433,761	05	07/27/16	LAVTA	
WCCTA	Transit Operations	2,290,427	06	07/27/16	WCCTA	
AC Transit	Transit Operations	44,986,143	07	07/27/16	AC Transit Alameda D1	
AC Transit	Transit Operations	11,969,229	08	07/27/16	AC Transit Alameda D2	
AC Transit	Transit Operations	6,436,688	09	07/27/16	AC Transit Contra Costa	
ECCTA	Transit Operations	10,924,502	10	07/27/16	ECCTA	
SFMTA	Transit Operations	45,335,462	11	07/27/16	SFMTA	
SolTrans	Transit Operations	3,966,654	12	07/27/16	Vallejo/Benicia	2
Sonoma County	Transit Operations	7,116,436	13	07/27/16	Sonoma County	
Sonoma County	Transit Operations	199,597	13	07/27/16	Petaluma	
AC Transit	Transit Operations	(8,481)	07	08/31/16	AC Transit Alameda D1	
VTA	Transit Operations	100,134,697	16	09/28/16	VTA	
VTA	Transit Operations	5,270,020	17	09/28/16	Santa Clara County	1
NVTA	Transit Operations	3,541,358	18	09/28/16	NVTA	
GGBHTD	Transit Operations	7,931,518	19	09/28/16	GGBHTD (Marin)	
GGBHTD	Transit Operations	5,362,560	20	09/28/16	GGBHTD (Sonoma)	
Petaluma	Transit Operations	1,502,812	21	09/28/16	Petaluma	
Fairfield	Transit Operations	1,368,327	24	10/26/16	Fairfield	
Fairfield	Transit Operations	974,074	24	10/26/16	Suisun City	
Marin Transit	Transit Operations	4,640,233	26	11/16/16	Marin Transit	
Union City	Transit Operations	2,576,700	27	11/16/16	Union City	
	Subtotal	302,478,792				
5803 - 99260A Transit - Capital						
Soltrans	Transit Capital	3,141,406	14	07/27/16	Vallejo/Benicia	2
CCCTA	Transit Capital	2,800,000	22	09/28/16	CCCTA	
Fairfield	Transit Capital	2,232,244	25	10/26/16	Fairfield	
	Subtotal	8,173,650				
5807 - 99400C General Public - Operating						
Sonoma County	Transit Operating	1,199,117	15	07/27/16	Sonoma County	
Sonoma County	Transit Operating	39,919	15	07/27/16	Petaluma	
	Subtotal	1,239,036				
5812 - 99400D Planning & Admin - Operating						
NVTA	Planning and Administrat	3,171,791	23	09/28/16	NVTA	
	Subtotal	3,171,791				
TOTAL		318,383,036				

Note:

- (1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.
 (2) Allocation subject to approval of the TDA Matrix by the Solano Transportation Authority on 7/13/16.

Date: June 22, 2016
Referred by: PAC

Attachment B
Resolution No. 4230
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2016-17
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 22, 2016
Referred by: PAC
Revised: 07/27/16-C 07/27/16-DA
09/28/16-C 11/11/16-C

ABSTRACT

Resolution No. 4231, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2016-17.

This resolution allocates funds to County Connection (CCCTA) and MTC.

This resolution was revised on July 27, 2016 to allocate funds to AC Transit, SFMTA, Tri Delta Transit (ECCTA), and WestCAT (WCCTA). This resolution was revised by Delegated Authority to adjust allocations to ECCTA.

This resolution was revised on September 28, 2016 to allocate funds to Golden Gate Bridge, Highway, and Transportation District (GGBHTD) and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on November 16, 2016 to allocate funds the San Francisco Bay Area Rapid Transit District (BART).

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 8, 2016, July 13, 2016, September 14, 2016, and November 9, 2016.

Date: June 22, 2016
Referred by: PAC

Re: Allocation of Fiscal Year 2016-17 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4231

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 2016-17 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 2016-17 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. 3837 and 4184, 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 2016-17 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; and, be it further

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.

METROPOLITAN TRANSPORTATION COMMISSION



Dave Cortese, 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 22, 2016.

Date: June 22, 2016
 Referred by: PAC
 Revised: 07/27/16-C 07/27/16-DA
 09/28/16-C 11/11/16-C

Attachment A
 MTC Resolution No. 4231
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ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS DURING FISCAL YEAR 2016-17

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 Operating Costs - Population-based Small Operator/Northern Counties					
CCCTA	Transit Operations	1,456,880	01	06/22/16	CCCTA
ECCTA	Transit Operations	1,159,791	04	07/27/16	ECCTA
ECCTA	Transit Operations	(371,263)	04	7/27/2016-DA	ECCTA
	Subtotal	2,245,408			
5820 - 6730A Operating Costs - Revenue-based					
WCCTA	Transit Operations	2,522,198	05	07/27/16	BART
AC Transit	Transit Operations	7,917,266	06	07/27/16	AC Transit
ECCTA	Transit Operations	2,404,790	07	07/27/16	BART
ECCTA	Transit Operations	123,722	07	7/27/2016-DA	BART
SFMTA	Transit Operations	29,044,960	08	07/27/16	SFMTA
VTA	Transit Operations	9,107,031	09	09/28/16	VTA
GGBHTD	Transit Operations	3,889,917	10	09/28/16	GGBHTD
BART	Transit Operations	9,134,879	11	11/11/16	BART
	Subtotal	64,144,763			
5820 - 6730A Operating Costs - Population-based MTC Regional Coordination					
MTC	Clipper Operations	11,900,000	02	06/22/16	MTC
	Subtotal	11,900,000			
5821 - 6730B Capital Costs - Population-based MTC Coordination					
MTC	Clipper Capital	1,500,000	03	06/22/16	MTC
	Subtotal	1,500,000			
	TOTAL	79,790,171			

Date: June 22, 2016
Referred by: PAC

Attachment B
Resolution No. 4231
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ALLOCATION OF FISCAL YEAR 2016-17 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 areawide 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.