

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 14, 2018

Agenda Item 2d

MTC Resolution Nos. 4334, Revised and 4335, Revised

Subject: Allocation of \$10.4 million in Transportation Development Act (TDA) and State Transit Assistance (STA) funds to Santa Clara Valley Transportation Authority (VTA) to support transit operations.

Background: VTA initially requested the allocation of TDA and STA funds to support transit operations before the start of the fiscal year. Since that initial request, the Fund Estimate (MTC Resolution 4322, Revised) has been updated twice to account for actual revenue for FY2017-18 and an increased estimate of STA revenue for the current fiscal year. Based on these revisions to the Fund Estimate, an additional \$10.4 million in TDA and STA funds are available for VTA to claim. Altogether, TDA and STA funds comprise about 32% of VTA transit revenues.

Issues: None

Recommendation: Refer MTC Resolution Nos. 4334, Revised and 4335, Revised to the Commission for approval.

Attachments: MTC Resolution Nos. 4334, Revised, 4335, Revised

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Date: June 27, 2018
W.I.: 1514
Referred by: PAC
Revised: 07/25/18-C 09/26/18-C
10/24/18-C 11/28/18-C

ABSTRACT

Resolution No. 4334, Revised

This resolution approves the allocation of fiscal year 2018-19 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), AC Transit, and Santa Clara Valley Transportation Authority (VTA).

This resolution was revised on July 25, 2018 to allocate funds to the Livermore Amador Valley Transit Authority (LAVTA), San Francisco Municipal Transportation Agency (SFMTA), Sonoma County Transit, Vacaville, and WestCAT (WCCTA).

This resolution was revised on September 26, 2018 to allocate funds to Eastern Contra County Transit District (ECCTA, aka Tri Delta Transit), Golden Gate Bridge, Highway, and Transportation District (GGBTD), Napa Valley Transportation Authority (NVTA), and Solano County Transit (SolTrans).

This resolution was revised on October 24, 2018 to allocate funds to Marin Transit and Santa Rosa.

This resolution was revised on November 28, 2018 to allocate funds to VTA.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 13, 2018, July 11, 2018, September 12, 2018, October 10, 2018, and November 14, 2018.

Date: June 27, 2018
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2018-19 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4334

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 2018-19 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 2018-19 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 2018-19 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



Jake Mackenzie, 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 27, 2018.

Date: June 27, 2018
 Referred by: PAC
 Revised: 07/25/18-C 09/26/18-C
 10/24/18-C 11/28/18-C

Attachment A
 MTC Resolution No. 4334
 Page 1 of 1

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
 DURING FISCAL YEAR 2018-19

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	3,805,829	01	06/27/18	Alameda County	
	Subtotal	3,805,829				
5802 - 99260A Transit - Operations						
VTA	Transit Operations	94,688,913	02	06/27/18	VTA	
VTA	Transit Operations	4,983,627	03	06/27/18	Santa Clara County	1
CCCTA	Transit Operations	17,985,379	04	06/27/18	CCCTA	
AC Transit	Transit Operations	51,143,012	05	06/27/18	AC Transit Alameda D1	
AC Transit	Transit Operations	13,464,678	06	06/27/18	AC Transit Alameda D2	
AC Transit	Transit Operations	6,953,146	07	06/27/18	AC Transit Contra Costa	
LAVTA	Transit Operations	9,107,101	09	07/25/18	LAVTA	
WCCTA	Transit Operations	2,974,384	10	07/25/18	WCCTA	
Sonoma County	Transit Operations	6,514,056	11	07/25/18	Sonoma County	
Sonoma County	Transit Operations	217,974	11	07/25/18	Petaluma	
Vacaville	Transit Operations	1,305,807	12	07/25/18	Vacaville	
SFMTA	Transit Operations	2,308,135	13	07/25/18	San Francisco County	1
SFMTA	Transit Operations	43,854,568	14	07/25/18	SFMTA	
ECCTA	Transit Operations	7,549,319	17	09/26/18	ECCTA	
SolTrans	Transit Operations	4,519,689	18	09/26/18	Vallejo/Benicia	
NVTA	Transit Operations	3,472,705	19	09/26/18	NVTA	
GGBHTD	Transit Operations	7,760,055	20	09/26/18	GGBHTD (Marin)	
GGBHTD	Transit Operations	6,003,623	21	09/26/18	GGBHTD (Sonoma)	
Marin Transit	Transit Operations	5,109,399	23	10/24/18	Marin Transit	
Santa Rosa	Transit Operations	6,170,000	24	10/24/18	Santa Rosa	
VTA	Transit Operations	3,559,443	02	11/28/18	VTA	
VTA	Transit Operations	187,339	03	11/28/18	Santa Clara County	1
	Subtotal	299,832,352				
5803 - 99260A Transit - Capital						
CCCTA	Transit Capital	2,558,316	08	06/27/18	CCCTA	
Sonoma County	Transit Capital	1,089,888	16	07/25/18	Sonoma County	
	Subtotal	3,648,204				
5807 - 99400C General Public - Operating						
Sonoma County	Transit Operating	1,643,653	15	07/25/18	Sonoma County	
Sonoma County	Transit Operating	43,595	15	07/25/18	Petaluma	
	Subtotal	1,687,248				
5812 - 99400D Planning & Admin - Operating						
NVTA	Planning and Administration	4,444,231	22	09/26/18	NVTA	
	Subtotal	4,444,231				
		TOTAL			313,417,864	

Note:

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

Date: June 27, 2018
Referred by: PAC

Attachment B
Resolution No. 4334
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2018-19
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 27, 2018
W.I.: 1514
Referred by: PAC
Revised: 07/25/18-C 09/26/18-C
10/24/18-C 11/28/18-C

ABSTRACT

Resolution No. 4335, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2018-19.

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

This resolution was revised on July 25, 2018 to allocate funds to Livermore Amador Valley Transit Authority (LAVTA), San Francisco Municipal Transportation Agency (SFMTA), Sonoma County Transit, and WestCAT (WCCTA).

This resolution was revised on September 26, 2018 to allocate funds to AC Transit, Eastern Contra County Transit District (ECCTA, aka Tri Delta Transit), Golden Gate Bridge, Highway, and Transportation District (GGBTD), and Napa Valley Transportation Authority (NVTA).

This resolution was revised on October 24, 2018 to allocate funds to Santa Rosa.

This resolution was revised on November 28, 2018 to allocate funds to VTA.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 13, 2018, July 11, 2018, September 12, 2018, October 10, 2018, and November 14, 2018.

Date: June 27, 2018
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2018-19 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4335

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 2018-19 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 2018-19 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. 4304 and 4321, 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.); and

WHEREAS, the California State Legislature is currently considering revisions to the TDA, which may change the administration of STA funds; now, therefore, be it

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

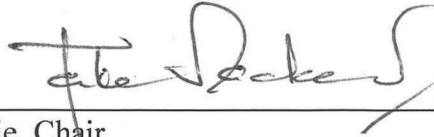
RESOLVED, that MTC approves the allocation of fiscal year 2018-19 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution;

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

A handwritten signature in dark ink, appearing to read "Jake Mackenzie", is written over a horizontal line.

Jake Mackenzie, 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 27, 2018.

Date: June 27, 2018
 Referred by: PAC
 Revised: 07/25/18-C 09/26/18-C
 10/24/18-C 11/28/18-C

Attachment A
 MTC Resolution No. 4335
 Page 1 of 1

ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
 DURING FISCAL YEAR 2018-19

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					
LAVTA	Transit Operations	1,077,176	08	07/25/18	LAVTA
	Subtotal	1,077,176			
5820 - 6730A Operations - Population-based Lifeline					
AC Transit	Cycle 5: Preserve service in CoC	1,026,000	13	09/26/18	Alameda County
	Subtotal	1,026,000			
5820 - 6730A Operating Costs - Revenue-based					
VTA	Transit Operations	22,849,419	01	06/27/18	VTA
AC Transit	Transit Operations	16,618,328	02	06/27/18	AC Transit
WCCTA	Transit Operations	2,526,931	09	07/25/18	BART
SFMTA	Transit Operations	50,121,811	10	07/25/18	SFMTA
ECCTA	Transit Operations	2,685,749	14	09/26/18	BART
GGBHTD	Transit Operations	3,051,151	15	09/26/18	GGBHTD
VTA	Transit Operations	6,694,679	01	11/28/18	VTA
	Subtotal	104,548,068			
5820 - 6730A Operating Costs - Population-based MTC Regional Coordination					
MTC	Clipper Operations	8,500,000	03	06/27/18	MTC
	Subtotal	8,500,000			
5820 - 6730A Operating Costs - County Block Grant					
AC Transit	Transit Operations	4,255,033	04	06/27/18	Alameda County
AC Transit	Transit Operations	1,203,390	05	06/27/18	Contra Costa County
CCCTA	Transit Operations	3,942,065	06	06/27/18	Contra Costa County
LAVTA	Transit Operations	1,433,960	11	07/25/18	Alameda County
Sonoma County	Transit Operations	2,541,674	12	07/25/18	Sonoma County
ECCTA	Transit Operations	2,512,726	16	09/26/18	Contra Costa County
NVTA	Transit Operations	1,313,035	17	09/26/18	Napa County
GGBHTD	Transit Operations	1,147,207	18	09/26/18	Marin County
Santa Rosa	Transit Operations	2,017,022	19	10/24/18	Sonoma County
	Subtotal	20,366,112			
5822 - 6731C Paratransit - Operating - County Block Grant					
VTA	Transit Operations	5,300,829	07	06/27/18	Santa Clara County
	Subtotal	5,300,829			
		TOTAL			140,818,185

Date: June 27, 2018
Referred by: PAC

Attachment B
Resolution No. 4335
Page 1 of 2

ALLOCATION OF FISCAL YEAR 2018-19 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.