Metropolitan Transportation Commission
Programming and Allocations Committee

October 13, 2021 **Agenda Item 2c - 21-1145**

MTC Resolution Nos. 4465, Revised; and 4466, Revised

Subject: Allocation of $34 million in FY2021-22 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to nine operators and Solano Transportation Authority to support transit operations in the region.

Background This month's proposed actions continue the annual allocation process of these funds for FY2021-22. Marin Transit and Solano Transportation Authority are requesting initial allocations of TDA and STA this month that exceed the $1 million delegated authority limit. Eight other operators previously received initial allocations of TDA and STA this fiscal year and are now proposed to be allocated STA County Block Grant (CBG) funds, which are governed by MTC Resolution 4321. MTC policy directs County Transportation Agencies to program the CBG funds within their respective county to eligible transit projects. Allocations of these funds were delayed so that staff could ensure proper calculation of operator shares. Allocation requests that are less than $1 million are approved separately through the Executive Director's Delegated Authority process.

The proposed allocation amounts are based on the programming levels identified in the FY 2021-22 Fund Estimate (MTC Resolution 4450). The proposed allocations are summarized in the following table:

Allocation Amounts by Claimant and Fund Source

$ in millions

Transit Operator/ Claimant	TDA Resolution No. 4465	STA Resolution No. 4466	Grand Total
AC Transit	$0.0	$6.7	$6.7
CCCTA	$0.0	$4.9	$4.9
ECCTA	$0.0	$3.1	$3.1
LAVTA	$0.0	$1.6	$1.6
NVTA	$0.0	$1.9	$1.9
Sonoma County Transit	$0.0	$1.9	$1.9
SFMTA	$0.0	$0.7	$0.7
GGBHTD	$0.0	$1.4	$1.4
Marin Transit	$6.6	$2.5	$9.1
Solano TA	$0.0	$2.8	$2.8
Grand Total	**$6.6**	**$27.5**	**$34.1**

Information regarding the FY 2021-22 operating budget and current and future services for Marin Transit is provided in Attachment A. Marin Transit is one of a few operators budgeting for service that will exceed pre-pandemic service levels. Marin Transit is also participating in a part-time transit lanes feasibility study (bus on shoulder) on US-101 in northern Marin County that is being finalized by the Transportation Authority of Marin. This study aligns with the Transit Transformation

Action Plan recently endorsed by the Commission by seeking to facilitate transit priority measures to get transit out of traffic.

Solano Transportation Authority requests an allocation of $2.8 million in STA funds to support a variety of transit projects in the county. Some of the projects include a community-based transportation plan for the Suisun City Connected Mobility Study, and support for its responsibilities as the Consolidated Transportation Service Agency (CTSA) for the county for their mobility management programs. Solano Transportation Authority will also receive allocations of TDA by Delegated Authority for transit operations and planning.

To receive allocations of funds proposed under this item, transit agencies agree to comply with transit coordination requirements in MTC Resolution 3866, the Transit Coordination Implementation Plan. The Commission could consider further coordination requirements as a condition of receiving the funds proposed for allocation.

Issues: None

Recommendation: Refer MTC Resolution Nos. 4465, Revised; and 4466, Revised to the Commission for approval.

Attachments: Attachment A – Transit Operator Budget and Operations Summary
MTC Resolution Nos. 4465 Revised; and 4466, Revised

Therese W. McMillan

Attachment A: Transit Operator Budget and Operations Summary

Marin Transit

$ ***Amounts are in millions***

Expected Carryover of Federal COVID Relief Funding[1]	**Proposed Operating Budget**	**Change in Budget compared to FY 20**	**Current Average Ridership % Decrease** (June 2021 to June 2019)	**Total Proposed TDA & STA FY21-22 Allocation[2]**	**% of Operating Budget Funded with Allocations**
$4.2	$35.2	13.8%	-41.9%	$9.2	26.1%

Budget Highlights: The budget includes $4.2 million in federal funding relief for local service to backfill all revenue losses and fund additional service costs, like enhanced cleaning. Marin Access includes paratransit, on demand and mobility management services provided by Marin Transit. Other local sales tax revenue accounts for half of operating revenue. A new contract for these services was recently approved and the budget will increase approximately $350,000 compared to the adopted budget. Demand for paratransit service is expected to be only 70% of pre-COVID levels by the end of the fiscal year. That reduced service is helping to minimize increases in the operating budget.

Operations Summary: Revenue hours of fixed route service are budgeted to be more than pre-pandemic service levels. Marin Transit will continue to monitor service demand and evaluate if service levels should be adjusted. Ridership on fixed route and paratransit services is expected to be 80% and 70%, respectively, of pre-COVID levels by the end of FY 2021-22. The Connect, on demand pilot, along the Highway 101 corridor within 2.5 miles of SMART stations will continue. Marin Transit plans to implement additional fare promotional and pilot programs to offer near-term assistance to low-income families, students, and seniors using COVID relief funding. These fare programs are anticipated to be covered within the existing budget.

[1] Includes the balance of CARES and CRRSAA federal relief funds not used in FY20 or FY21, as reported by operators.

[2] 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 23, 2021
W.I.: 1514
Referred by: PAC
Revised: 07/28/21-C 09/22/21-C
10/27/21-C

ABSTRACT

Resolution No. 4465, Revised

This resolution approves the allocation of fiscal year 2021-2022 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

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

On July 28, 2021, Attachment A was revised to allocate funds to Eastern Contra Costa Transit Authority (ECCTA or Tri Delta Transit), Livermore Amador Valley Transit Authority (LAVTA or Wheels), Napa Valley Transportation Authority (NVTA), Sonoma County Transit, and Western Contra Costa Transit Authority (WestCAT).

On September 22, 2021, Attachment A was revised to allocate funds to the Golden Gate Bridge, Highway and Transportation District (GGBHTD) and the San Francisco Municipal Transportation Agency (SFMTA).

On October 27, 2021, Attachment A was revised to allocate funds to Marin Transit.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 9, 2021, July 14, 2021, September 8, 2021, and October 13, 2021.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2021-22 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4465

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 2020-21 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 2021-22 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 2l000 et seq.), and with the State Environmental Impact Report Guidelines (l4 California Code of Regulations Section l5000 et seq.); now, therefore, be it

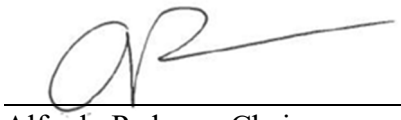
RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2021-22 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 23, 2021.

Date: June 23, 2021
Referred by: PAC
Revised: 07/28/21-C
09/22/21-C
10/27/21-C

Attachment A
MTC Resolution No. 4465
Page 1 of 1

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
DURING FISCAL YEAR 2021-22

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

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area	Note
5801 - 99233.7, 99275 Community Transit Service - Operations						
VTA	Paratransit Operations	6,155,184	01	06/23/21	Santa Clara County	
CCCTA	Paratransit Operations	1,211,358	02	06/23/21	Contra Costa County	
AC Transit	Paratransit Operations	4,338,169	03	06/23/21	Alameda County	
	Subtotal	**11,704,711**				
5802 - 99260A Transit - Operations						
AC Transit	Transit Operations	48,597,106	04	06/23/21	AC Transit - D1 Ala	
AC Transit	Transit Operations	12,980,480	05	06/23/21	AC Transit - D2 Ala	
AC Transit	Transit Operations	7,072,554	06	06/23/21	AC Transit - D1 CC	
VTA	Transit Operations	116,948,496	07	06/23/21	VTA	
SolTrans	Transit Operations	3,327,437	08	06/23/21	Vallejo/Benicia	
CCCTA	Transit Operations	20,905,683	09	06/23/21	CCCTA	
ECCTA	Transit Operations	12,074,983	12	07/28/21	ECCTA	
Sonoma County T	Transit Operations	6,772,284	13	07/28/21	Sonoma County	
NVTA	Transit Operations	1,451,200	14	07/28/21	NVTA	
WCCTA	Transit Operations	2,444,398	15	07/28/21	WestCat	
LAVTA	Transit Operations	11,282,017	16	07/28/21	LAVTA	
GGBHTD	Transit Operations	7,416,263	23	09/22/21	GGBHTD (Marin)	
GGBHTD	Transit Operations	6,322,679	24	09/22/21	GGBHTD (Sonoma)	
SFMTA	Transit Operations	2,096,220	25	09/22/21	San Francisco County	1
SFMTA	Transit Operations	39,828,179	26	09/22/21	SFMTA	
Marin Transit	Transit Operations	6,565,228	27	10/27/21	Marin Transit	
	Subtotal	**306,085,207**				
5803 - 99260A Transit - Capital						
SolTrans	Transit Capital	4,012,000	10	06/23/21	Vallejo/Benicia	
CCCTA	Transit Capital	2,694,520	11	06/23/21	CCCTA	
ECCTA	Transit Capital	4,103,457	17	07/28/21	ECCTA	
Sonoma County T	Transit Capital	2,032,760	18	07/28/21	Sonoma County	
NVTA	Transit Capital	4,223,000	19	07/28/21	NVTA	
LAVTA	Transit Capital	4,686,907	20	07/28/21	LAVTA	
	Subtotal	**21,752,644**				
5807 - 99400C General Public - Operating						
Sonoma County	Transit Operations	2,307,500	21	07/28/21	Sonoma County	
	Subtotal	**2,307,500**				
5812 - 99400D Planning & Admin - Operating						
NVTA	Planning and Administra	1,070,000	22	07/28/21	NVTA	
	Subtotal	**1,070,000**				
	TOTAL	**342,920,062**				

ALLOCATION OF FISCAL YEAR 2021-22
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 the claimant is in compliance with the 50% expenditure limitation of Public Utilities Code § 99268, or exempt from compliance 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 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 2l California Code of Regulations § 6633.l, or § 6634; and

5. That pursuant to Public Utilities Code § 99233.7 certain funds identified in Attachment A and 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 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 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, 99268.12, 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 2l California Code of Regulations § 6634.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC
Revised: 07/28/21-C 09/22/21-C
10/27/21-C

ABSTRACT
Resolution No. 4466, Revised

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2021-22.

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

On July 28, 2021, Attachment A was revised to allocate funds to Eastern Contra Costa Transit Authority (ECCTA or Tri Delta Transit) and Western Contra Costa Transit Authority (WestCAT).

On September 22, 2021, Attachment A was revised to allocate funds to the San Francisco Municipal Transportation Agency (SFMTA) and the Golden Gate Bridge, Highway and Transportation District (GGBHTD).

On October 27, 2021, Attachment A was revised to allocate funds to eight operators, and Solano Transportation Authority.

Discussion of the allocations made under this resolution is contained in the MTC Programming and Allocations Committee Summary Sheets dated June 9, 2021, July 14, 2021, September 8, 2021, and October 13, 2021.

Date: June 23, 2021
W.I.: 1514
Referred by: PAC

Re: Allocation of Fiscal Year 2021-22 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4466

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 993l3.6, 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 993l3.6(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 2021-22 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 2021-22 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 2l 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 2l000 et seq.), and with the State Environmental Impact Report Guidelines (l4 California Code of Regulations Section l5000 et seq.); now, therefore, be it

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

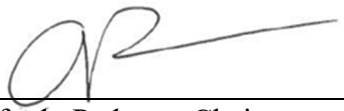
RESOLVED, that MTC approves the allocation of fiscal year 2021-22 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution;

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 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 23, 2021.

Date: June 23, 2021
Referred by: PAC
Revised: 07/28/21 C 09/22/21-C
10/27/21-C

Attachment A
MTC Resolution No. 4466
Page 1 of 1

ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
DURING FISCAL YEAR 2021-22

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 - Revenue-based					
AC Transit	Transit Operations	18,707,978	01	06/23/21	AC Transit
VTA	Transit Operations	21,232,325	02	06/23/21	VTA
ECCTA	Transit Operations	2,899,892	06	07/28/21	BART
WestCat	Transit Operations	2,737,806	07	07/28/21	BART
SFMTA	Transit Operations	62,690,293	08	09/22/21	SFMTA
GGBHTD	Transit Operations	8,396,836	09	09/22/21	GGBHTD
Marin Transit	Transit Operations	1,500,000	11	10/27/21	Marin Transit
	Subtotal	**118,165,130**			
5820 - 6730A Operating Costs - County Block Grant					
SolTrans	Transit Operations	1,134,745	03	06/23/21	Solano County
AC Transit	Transit Operations	1,492,197	12	10/27/21	Contra Costa County
AC Transit	Transit Operations	5,243,953	13	10/27/21	Alameda County
LAVTA	Transit Operations (small operator)	1,552,923	14	10/27/21	Alameda County
CCCTA	Transit Operations	4,888,140	15	10/27/21	Contra Costa County
ECCTA	Transit Operations	3,115,767	16	10/27/21	Contra Costa County
NVTA	Transit Operations	1,908,843	17	10/27/21	Napa County
Sonoma County	Transit Operations	1,897,396	18	10/27/21	Sonoma County
GGBHTD	Transit Operations	1,447,324	19	10/27/21	Marin County
Marin Transit	Transit Operating	1,040,376	20	10/27/21	Marin County
	Subtotal	**23,721,665**			
5820 - 6730A Operating Costs - Population-based MTC Regional Coordination					
MTC	Clipper Operations	6,300,000	04	06/23/21	MTC
	Subtotal	**6,300,000**			
5822 - 6731C Paratransit - Operating - County Block Grant					
VTA	Transit Operations	5,285,640	05	06/23/21	Santa Clara County
SFMTA	Paratransit Operations	3,012,914	10	09/22/21	San Francisco County
SFMTA	Paratransit Operations	722,099	10	10/27/21	San Francisco County
	Subtotal	**9,020,653**			
5828 - 6731B Planning and Admin - County Block Grant					
Solano TA	Planning and Administration	2,763,812	21	10/27/21	Solano County
	Subtotal	**2,763,812**			
	TOTAL	**159,971,260**			

ALLOCATION OF FISCAL YEAR 2021-22 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 the claimant is in compliance with the 50% expenditure limitation of PUC § 99268, or is exempt from compliance 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. l209, Revised) as provided by PUC § 99268.9; 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 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.