

Date: June 28, 2023
W.I.: 1514
Referred by: PAC
Revised: 07/26/23-C 01/24/24-C
09/27/23-C 02/28/24-C
10/25/23-C
11/15/23-C

ABSTRACT

Resolution No. 4570, Revised

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).

Attachment A was revised on July 26, 2023 to allocate funds to City of Santa Rosa and Sonoma County Transit.

Attachment A was revised on September 27, 2023 to allocate funds to Eastern Contra Costa Transit Authority (ECCTA), Golden Gate Bridge, Highway, and Transportation District (GGBHTD), Marin Transit, and Solano County Transit (SolTrans).

Attachment A was revised on October 25, 2023 to allocate funds to Western Contra Costa County Transit Authority (WestCAT).

Attachment A was revised on November 22, 2023 to allocate funds to the City of Vacaville.

Attachment A was revised on January 24, 2024 to allocate funds to the City of Fairfield.

Attachment A was revised on February 28, 2024 to allocate funds to the City of Fairfield and 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, July 12, 2023, September 13, 2023, October 11, 2023, November 8, 2023, January 10, 2024, and February 14, 2024.

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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.

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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	
Santa Rosa Sonoma County	Transit Operations	4,980,094	16	07/26/23	Santa Rosa	
Transit	Transit Operations	6,698,880	17	07/26/23	Sonoma County	
SolTrans	Transit Operations	4,847,471	21	09/27/23	Vallejo/Benicia	
ECCTA	Transit Operations	16,915,273	22	09/27/23	ECCTA	
Marin Transit	Transit Operations	7,881,923	23	09/27/23	Marin Transit	
GGBHTD	Transit Operations	4,770,059	24	09/27/23	GGBHTD - Marin	
GGBHTD	Transit Operations	7,738,737	25	09/27/23	GGBHTD - Sonoma	
WestCAT	Transit Operations	4,659,860	27	10/25/23	WCCTA	
Fairfield	Transit Operations	4,061,644	30	01/24/24	Fairfield	
SFMTA	Transit Operations	47,654,467	32	02/28/24	SFMTA	
SFMTA	Transit Operations	4,781,338	33	02/28/24	San Francisco County	
	Subtotal	382,956,264				

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
Santa Rosa	Transit Capital	2,500,000	18	07/26/23	Santa Rosa
Sonoma County					
Transit	Transit Capital	2,177,318	19	07/26/23	Sonoma County
SolTrans	Transit Capital	4,780,360	26	09/27/23	Vallejo/Benicia
Fairfield	Transit Capital	2,000,000	34	02/28/24	Fairfield
Subtotal		24,090,964			

5807 - PUC 99400C Transit - Operations

NVTA	Transit Operations	1,022,200	14	06/28/23	NVTA
Sonoma County					
Transit	Transit Operations	2,498,322	20	07/26/23	Sonoma County
Vacaville	Transit Operations	2,533,357	28	11/15/23	Vacaville
Fairfield	Transit Operations	3,661,421	31	01/24/24	Fairfield
Subtotal		9,715,300			

5808 - PUC 99400C Transit - Capital

Vacaville	Transit Capital	6,610,000	29	11/15/23	Vacaville
Subtotal		6,610,000			

5812 - PUC 99400D Planning and Administration - Operations

NVTA	Planning & Administration	3,035,500	15	06/28/23	NVTA
Subtotal		3,035,500			

Total 440,021,519

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Attachment B
Resolution No. 4570
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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.
6. 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 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.