

Date: June 25, 2008
W.I.: 1255
Referred by: PAC
Revised: 11/26/08-C

ABSTRACT

Resolution No. 3853, Revised

This resolution adopts the Regional Measure 2 (RM2) Operating Assistance Program for FY 2008-09.

This resolution was revised on November 26, 2008 to program funds to WETA/Vallejo for Ferry Operations; to WETA for Spare Vessel operations, and Transition Planning; and to TransLink[®] for launch marketing.

Further discussion of this action is contained in the Programming and Allocations Committee Summary Sheets dated June 11, 2008 and November 12, 2008.

Date: June 25, 2008
W.I.: 1255
Referred by: PAC

RE: Adoption of FY 2008-09 RM2 Operating Assistance Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3853

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code § 66500 et seq.; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”), which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, which increased the toll for all vehicles on the nine State-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM 2”); and

WHEREAS, RM 2 establishes the Regional Traffic Relief Plan and identifies specific projects eligible to receive RM2 funding for operating assistance as identified in Sections 30914(d)(3) & (4) of the California Streets and Highways Code; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by bonding or transfers to MTC; and

WHEREAS, RM 2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, MTC has developed guidelines for the programming and use of the RM2 funds for operating support of transit projects, and

WHEREAS, these guidelines state that MTC will adopt a project specific budget for RM2 operating funds prior to the beginning of each fiscal year, now, therefore be it

RESOLVED, that MTC adopts a program that establishes RM2 operating subsidy amounts for FY 2008-09, as outlined in Attachment A and incorporated herewith as though set forth at length.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on June 25, 2008.

FY 2008-09 RM-2 Operating Allocation Plan

Project #	Project Name	Operator	Route	Allocation Amount (1)
1	Richmond Bridge Express Bus	Golden Gate Transit	Route 40	2,195,925
2	Napa VINE Service	NCTPA	Vallejo Intermodal Express Bus	275,000
3	Express Bus North	Vallejo	Solano County Express Bus	360,226
		Vallejo	Route 80	661,873
		Vallejo	Route 85	201,741
		ECCTA	Route 300	531,835
		CCCTA	Route 980	414,090
		Fairfield/Suisun Transit	Route 40	184,072
		Fairfield/Suisun Transit	Route 90	526,963
		Golden Gate Transit	Route 72	151,264
		Golden Gate Transit	Route 75	145,339
		WestCat	Route 30Z/JPX	249,294
4	Express Bus South	AC Transit	TransBay Bay Bridge Corridor	3,637,657
		AC Transit	Hayward/San Mateo Corridor	1,724,348
		AC Transit	Dumbarton Corridor	311,238
		WestCat	Hercules Transbay	317,950
			Total	5,991,193
6	Ferry Service	WETA/Vallejo	Vallejo Ferry Service to S.F.	2,740,500
		WETA/Vallejo	Vallejo Ferry Augmentation	1,900,000
		WETA	Spare Vessel operations	750,000
		WETA	Transition Expenses	600,000
			Total	5,990,500
7	Owl Service	AC Transit	Owl operations	1,138,949
		CCCTA	Owl operations	297,550
		LAVTA	Owl operations	101,500
		MUNI	Owl operations	187,501
		SamTrans	Owl operations	101,500
			Total	1,827,000
8	MUNI Metro 3rd Street	SF MUNI	Metro 3rd Street extension	2,500,000
9	AC Transit Rapid Bus Corridor	AC Transit	Enhanced Bus Service in the Berkeley/Oakland/San Leandro Corridor	3,000,000
11	WETA planning	WETA	Planning and operations	3,000,000
N/A	RM2 Marketing	MTC	Operating/Capital Projects	950,000
N/A	TransLink® Launch (public outreach, fare incentives, kiosk)	MTC	AC Transit, BART, Golden Gate Transit, Muni, Caltrain	2,570,000
			Grand Total	31,726,315

Notes: 1. The amounts listed reflect the RM-2 base subsidy, with certain projects subject to a 1.5% annual escalation rate through FY 2007-08. Escalation is suspended starting in FY 2008-09 until RM2 BATA RM2 receipts surpass the amounts budgeted to fund the legislative operating projects.

Subject to meeting performance measures

Date: June 25, 2008
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Revised: 07/23/08-C 07/23/08-DA
09/24/08-C 10/22/08-C
10/22/08-DA 11/26/08-C
11/26/08-DA

ABSTRACT

Resolution No. 3863, Revised

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2008-09.

This resolution was revised on July 23, 2008 to allocate operating funds to AC Transit and LAVTA for Owl Bus Operations; to AC Transit and Vallejo for Express Bus Operations; to AC Transit for Enhanced/Rapid Bus Operations; to Vallejo/WETA for Ferry Operations; and to ECCTA for Regional Express Bus Operations and MTC for TransLink® Marketing (through delegated authority).

This resolution was revised on September 24, 2008 to allocate operating funds to SFMTA for T-Third light rail operations; and to Vallejo/WETA for Ferry Operations.

This resolution was revised on October 22, 2008 to allocate operating funds to Golden Gate Transit for Express Bus Operations over the Richmond Bridge and for Express Bus Operations; and, through Delegated Authority, to SFMTA for Owl Service and Golden Gate Transit for Express Bus Service. After Committee review of performance measures, the final six months of operating funds for FY2008-09 were allocated to the following services: ECCTA Route 300 Express Bus service, LAVTA Owl Service, and Golden Gate Route 75 Express Bus Service.

This resolution was revised on November 26, 2008 to allocate operating funds to WETA for spare vessel operations, and transition expenses; to MTC for TransLink® Marketing; and, through Delegated Authority, to Fairfield-Suisun Transit for Express Bus service.

Additional discussion of these allocations is contained in the Programming & Allocation Committee Summary Sheets dated June 11, 2008, July 9, 2008, and September 10, 2008; the Executive Director's memorandum to the Commission dated September 17, 2008, and the Summary Sheets dated October 8, 2008 and November 12, 2008.

Date: June 25, 2008
W.I.: 1255
Referred by: PAC

Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2008-09

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3863

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, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and programs eligible for RM2 funding for transit operating and planning assistance as identified in Streets and Highways Code Section 30914(d).

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation

criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636, Revised); and

WHEREAS, MTC has reviewed the allocation requests submitted for RM2 transit operations and planning funds from the project sponsor(s) listed in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length funds; and

WHEREAS, project sponsors seeking RM2 funds are required to submit an Operating Assistance Proposal (OAP), pursuant to Streets and Highway Code Section 30914(e) to MTC for review and approval, which demonstrates a fully funded operating plan and consistency with the performance measures, as applicable; and

WHEREAS, MTC staff has reviewed with Federal Highway Administration (FHWA) staff the proposed RM2 funds for specific planning purposes; and

WHEREAS, Attachment A lists the projects requested by project sponsors for RM2 funding and amounts recommended for RM2 allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM2 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC's Staff review of the OAP for each project listed in Attachment A; now, therefore be it

RESOLVED, that MTC approves Attachment C, MTC staff's review of the OAP for the projects listed in Attachment A; and be it further

RESOLVED, that MTC approves the allocation of RM2 funds in accordance with Attachment A; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the project sponsor complying with the provisions of the

Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set for in length in MTC Resolution 3636; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that a certified copy of this resolution, shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 25, 2008.

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11/26/08-DA

Attachment A
MTC Resolution No. 3863
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FY 2008-09 ALLOCATION OF REGIONAL MEASURE 2 FUNDS
FOR TRANSIT OPERATIONS AND PLANNING

<u>Implementing Agency</u>	<u>Project Description</u>	<u>Allocation Amount</u>	<u>Allocation Code</u>	<u>Approval Date</u>
MTC	Marketing of Operating and Capital Projects	\$950,000	01	6/25/2008 - DA
Water Emergency Transportation Authority	Planning and administration	\$3,000,000	02	06/25/08
County Connection	Express Bus Route 980	\$414,090	03	06/25/08
County Connection	Owl Bus Service	\$148,776	04	06/25/08
WestCat	Express Bus Route: LYNX	\$317,950	05	06/25/08 - DA
WestCat	Express Bus Route JPX/30Z	\$249,294	06	06/25/08 - DA
AC Transit	Owl Bus Service	\$1,138,908	07	07/23/08
AC Transit	Express Bus Service	\$5,328,087	08	07/23/08
AC Transit	Enhanced/Rapid Bus Service	\$3,000,000	09	07/23/08
LAVTA	Owl Bus Service	\$50,750	10	07/23/08
Vallejo	Express Bus Service	\$1,217,465	11	07/23/08
Vallejo/WETA	Ferry Operations	\$2,700,000	12	07/23/08
ECCTA	Express Bus Route 300	\$265,918	13	7/23/2008 - DA
MTC	TransLink® Marketing	\$805,000	14	7/23/2008 - DA
SFMTA	T-Third Light Rail Service	\$2,500,000	15	09/24/08
Vallejo/WETA	Ferry Operations	\$1,900,000	16	09/24/08
Golden Gate	Express Bus Route 40	\$2,195,925	17	10/22/08
Golden Gate	Express Bus Route 72x	\$151,264	18	10/22/08 - DA
Golden Gate	Express Bus Route 75	\$145,339	19	10/22/08
SFMTA	Owl Bus Service	\$187,501	20	10/22/08 - DA
LAVTA	Owl Bus Service	\$50,750	21	10/22/08
ECCTA	Express Bus Route 300	\$265,917	22	10/22/08
WETA	Spare Vessel Operations	\$750,000	23	11/26/08
WETA	Transition Expenses	\$600,000	24	11/26/08
MTC	TransLink® Marketing	\$1,570,000	25	11/26/08
Fairfield	Express Bus Operations	\$711,035	26	11/26/08 - DA
	TOTAL	\$30,613,969		

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Attachment B
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**REGIONAL MEASURE 2
Project Specific Conditions
Operating and Planning Projects
California Streets and Highway Code 30914(d)**

The allocation and reimbursement of RM2 funds are conditioned upon the following for the projects identified below:

Project: RM2 Marketing Program

Lead Sponsor: MTC

Project Title: RM2 Marketing Program.

- 1) MTC will enter into funding agreements with sponsors to implement the program.

Project # 11

Lead Sponsor: Water Transit Authority (WTA)

Project Title: Planning and administration.

- 1) These funds are limited to planning/administrative expenses consistent with the FY 2008-09 WTA Work Plan submitted to MTC and embodied in the Operating Assistance Proposal.
- 2) This project is not subject to the RM2 operating performance standards.

Project: TransLink® Launch

Lead Sponsor: MTC

Project Title: TransLink® Marketing Program.

- 1) MTC will enter into funding agreements with sponsors to implement the program.

Project # 3.1

Lead Sponsors: CCCTA

Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, the all-day Express Bus service is subject to a 20% farebox ratio in FY 2008-09.

Project # 7.1

Lead Sponsor: CCCTA
Project Title: Owl bus service.

- 1) In accordance with MTC's Policies and Procedures, this route is subject to a farebox recovery ratio of 10% beginning in FY 2007-08. This service did not meet the farebox recovery performance standard and was allocated 6 months of funding. Though the Programming and Allocations Committee recommended additional funding for the service, the funds will be discontinued at the request of CCCTA as the agency moves forward with discontinuing the service due to low ridership.

Project # 4.1

Lead Sponsor: WestCAT
Project Title: LYNX Service between Hercules to the Transbay Terminal

- 1) In accordance with MTC's Policies and Procedures, this route is subject to the following peak-hour farebox recovery ratio of 30%. This service met the farebox standard as required in FY 2005-06 and is projected to continue meeting the standard.

Project # 3.5

Lead Sponsors: WestCAT
Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, Express bus all-day service for each operator is subject to a 20% farebox ratio. This service met the farebox standard as required in FY 2006-07 and is projected to continue meeting the standard.

Project # 4.2

Lead Sponsors: AC Transit
Project Title: Transbay Service

- 1) In accordance with MTC's Policies and Procedures, these routes are subject to the following farebox recovery ratios:
 - Rte LA: 20% was required in FY 2006-07; this route is anticipated to continue to meet the standard.
 - Rtes J, U, and Bay Br. augmentation rtes.: 30% starting in FY 2007-08.
 - Rtes M and NL: 20% starting in FY 2007-08.
- 2) Routes J and M did not meet their respective farebox recovery performance standards for FY 2007-08. The routes will be allocated full funding through the end of the fiscal year and will be reevaluated to verify accuracy of the data provided by AC Transit.

Projects # 7.2 and 7.3

Lead Sponsors: AC Transit and LAVTA
Project Title: Owl bus service.

- 1) In accordance with MTC's Policies and Procedures, the Owl service for each operator is subject to a 10% farebox ratio in FY 2007-08. LAVTA's service did not meet the farebox recovery

performance standard. After review by the Committee, the route will be allocated full funding in FY 2008-09.

Project # 9

Lead Sponsor: AC Transit

Project Title: Enhanced Bus Service in the Berkeley/Oakland/San Leandro Corridor.

- 1) Because this route functions in part as a feeder to Transbay services, it is not subject to a route-specific farebox recovery target. This project meets the eligibility requirement as long as AC Transit achieves its system wide performance established under state law for receiving TDA, STA, and AB 1107 funds.

Project # 3.3

Lead Sponsor: City of Vallejo

Project Title: Express Bus North

- 1) In accordance with MTC's Policies and Procedures, these routes are subject to the following farebox recovery ratios:
 - Rte 78: 20% starting in FY 2010-11.
 - Rte 80: 20% starting in FY 2006-07.
 - Rte 85: 20% starting in FY 2006-07.

Project # 6.1

Lead Sponsors: City of Vallejo on Behalf of Water Emergency Transportation Authority (WETA)

Project Title: Ferry – Service to San Francisco

- 1) In accordance with MTC's Policies and Procedures, this route is subject to a farebox recovery ratio of 30% beginning in FY 2006-07. This service met the farebox standard as required in FY 2006-07 and is projected to continue meeting the standard.
- 2) The RM2 allocation of \$1.9 million would be for one-year only for the purpose of retaining ridership and any future requests would be subject to completion of the WETA overall service plan and agreement by Vallejo to transition its service to WETA. The \$1.9 million allocation is to cover FY 2008-09 operating expenses after considering all other revenues including the \$0.3 million local contribution from the Solano Transportation Authority and the County of Solano.

Project # 3.4

Lead Sponsors: Tri-Delta

Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, Express bus all-day service for each operator is subject to a 20% farebox ratio beginning in FY 2007-08. This service did not meet the farebox recovery performance standard in FY2007-08, based on the existing reporting methodology. After review by the Committee, the route will be allocated full funding in FY 2008-09.

Project # 8

Lead Sponsor: SFMTA
Project Title: T-Third Light Rail.

- 1) Because this route functions in part as a feeder to Transbay services, it is not subject to a route-specific farebox recovery target. This project meets the eligibility requirement as long as SFMTA achieves its system wide performance established under state law for receiving TDA, STA, and AB 1107 funds.

Project # 1

Lead Sponsor: Golden Gate Bridge, Highway & Transportation District
Project Title: Express bus service over the Richmond Bridge.

- 1) In accordance with MTC's Policies and Procedures, this route is subject to a farebox recovery ratio of 20% beginning in FY 2006-07. This route met the farebox recovery standard during the FY 2006-07 RM2 Compliance Review. This route just achieved the farebox recovery standard during the FY 07-08 RM2 Compliance Review with a 20% farebox recovery. It is recommended that the remaining RM2 funding will be allocated for this service.

Projects # 3.5 & # 3.6

Lead Sponsor: Golden Gate Bridge, Highway & Transportation District
Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, these routes are subject to a farebox recovery ratio of 30% beginning in FY 2007-08. Route 72x met the farebox recovery standard during the FY 2007-08 RM2 Compliance Review. Route 75 did not achieve the required farebox recovery standard during the FY 2007-08 RM2 Compliance Review. After Committee review, the route will be allocated full funding in FY 2008-09.

Project # 10.4

Lead Sponsors: SFMTA
Project Title: Owl bus service.

- 1) In accordance with MTC's Policies and Procedures, the Owl service for each operator is subject to a 10% farebox ratio in FY 2007-08. This service was verified to meet the farebox recovery standard as required in FY 2007-08 and is projected to continue meeting the standard.

Project # 3.7

Lead Sponsors: Fairfield/Suisun
Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, Route 40 express bus peak-hour service is subject to a 30% farebox recovery ratio. This service must meet the farebox standard as required in FY 2008-09. Route 90 express bus all-day service is subject to a 20% farebox recovery ratio. This service was verified to have met the farebox standard as required in FY 2007-08.

Project # 6.3

Lead Sponsors: Water Emergency Transportation Authority (WETA)

Project Title: Transition Expenses

- 1) In accordance with California SB 1093, Section 66540.11(e), MTC has hereby determined that the funds requested by WETA are reasonable and substantially a result of the transition of the City of Alameda and the City of Vallejo's Ferry Services to WETA. The requested funds support development of the transition plan and transition-related costs.

Regional Measure 2 Operating Assistance Proposal Fact Sheet

Legislative Project #: 6.2

Project Description: WETA Spare Vessel Operations - Alameda/Oakland Ferry Service

Administration Expense	
Vessel Facilities Preparation	\$ 570,000
Incremental Maintenance Expenses	\$ 120,000
Insurance	\$ 60,000
Total	\$ 750,000

Revenues	
RM2 Planning/Admin.	\$ 750,000
Other Govt. grants	\$ -
Total	\$ 750,000

Regional Measure 2 Operating Assistance Proposal Fact Sheet
Legislative Project #: 6.3

Project Description: Water Emergency Transit Authority Transition Expenses

WETA Annual Budget
WTA Annual Budget

Sub-Total **FY 2008-09
Proposed**

Administration Expense		
Plan Development		\$ 250,000
Staff/Attorneys		
- WETA	\$ 150,000	
- City of Vallejo	\$ 100,000	
- City of Alameda	\$ 75,000	
Total Attorney Fees:		\$ 325,000
Public Outreach		\$ 10,000
Contingency		\$ 15,000
Total:		\$ 600,000

Revenues		
RM2 Planning/Admin.		\$ 600,000
Other Govt. grants		\$ -
Total:		\$ 600,000