

Date: July 26, 2000
W.I.: 51.4.10
Referred by: PAC
Revised: 04/24/02-C
04/22/09-C

ABSTRACT

Resolution No. 3288, Revised

This resolution establishes interim programming and allocation policies for the Five Percent State General Fund Revenues and Two Percent Bridge Toll Revenues program.

This resolution was revised on April 24, 2002 to establish a performance measure that ferry services must meet in order to continue to receive operating funds from regional bridge tolls and subject ferry operators to similar reporting requirements as other regional transit providers.

This resolution was revised on April 22, 2009 to reflect the assumption of responsibility for Alameda and Vallejo ferry services by the Water Emergency Transportation Authority, and to clarify regional priorities for bicycle planning projects funded by the Five Percent State General Fund Revenues.

Further discussion of these policies is contained in the Executive Director's Memoranda dated June 14, 2000 and April 10, 2002, and the Programming and Allocations Committee summary sheet dated April 8, 2009.

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RE: Interim Programming and Allocation Policies for the Five Percent State General Fund Revenues and Two Percent Bridge Toll Revenues program.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3288

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

WHEREAS, with the toll increase authorized by the Regional Measure I, approved by the voters on November 8, 1989, three percent (3%) of the revenue from the toll increase collected on all the state-owned bridges in the region may be allocated by MTC pursuant to Streets and Highways Code §§ 30913 and 30914, for certain projects which are designed to reduce vehicular traffic congestion on these bridges; and

WHEREAS, Streets and Highways Code §§ 30913 and 30914 have been amended to require that an additional two percent (2%) of those toll revenues be allocated by MTC for the planning, construction, operation, and acquisition of rapid water transit systems; and,

WHEREAS, pursuant to Streets and Highways Code § 30894, MTC has adopted MTC Resolution No. 2004, Revised, which sets forth MTC's overall Bridge Toll Revenue Allocation Policy; and

WHEREAS, with the completion of the Regional Ferry Plan Update, MTC has adopted Resolution No. 3149, which established a Five Percent Bridge Toll Revenues programming and allocation policy; and

WHEREAS, the California Department of Transportation (DEPARTMENT) has entered into a cooperative agreement with the Bay Area Toll Authority (BATA) and MTC on the federalization of toll bridge projects under BATA's jurisdiction and on the transfer of state funds to replace the five percent (5%) Bridge Toll Program funds for ferry operations; and

WHEREAS, under terms of the agreement between the DEPARTMENT, BATA, and MTC, MTC agrees, among other things, to amend its 5% Bridge Toll Revenues policy, as set

forth in MTC Resolution No. 3149, and to program and allocate state fund made available by the DEPARTMENT for transit operating purposes; now, therefore, be it

RESOLVED, that MTC approves interim programming and allocation policies for the Five Percent State General Fund Revenues and Two Percent Bridge Toll Revenues program as set forth in Attachment A, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, this resolution supercedes MTC Resolution No. 3149.

METROPOLITAN TRANSPORTATION COMMISSION

James Beall, Chair

The above resolution was entered into
by the Metropolitan Transportation Commission
at a regular meeting of the Commission
held in Oakland, California on July 26, 2000.

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Attachment A
Resolution No. 3288, Revised
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Policies for Programming and Allocating Five Percent (5%) State General Fund Revenues and Two-Percent (2%) Bridge Toll Revenues

Fund Purposes

State General Fund revenues delivered to MTC in amounts equal to projections of the Regional Measure 1 (RM 1) five percent (5%) Bridge Toll Program shall be separated into northern and southern bridge groups in the same proportion as northern bridge group (Richmond-San Rafael, Carquinez, Benicia-Martinez Bridge and Antioch bridges) and southern bridge group (S.F.-Oakland Bay, Hayward-San Mateo and Dumbarton bridges) 5% Bridge Toll funds are generated. These revenues are to be programmed and allocated for ferry transit operations and bicycle-related planning in the vicinity of each of the bridge groups.

Two-Percent (2%) of the revenues derived from the RM 1 toll increase are to be programmed and allocated solely for the capital costs associated with the design, construction, and acquisition of rapid water transit systems in the vicinity of the bridges in the southern bridge group and northern bridge group. The remaining 3% of the revenues derived from the RM 1 toll increase shall be retained by BATA for bridge capital projects.

Eligible Applicants

WETA shall become the sole eligible applicant for ferry funds from the Five Percent State General Fund Revenues and the Two Percent Bridge Toll Revenues after the date specified in the adopted transition plan. WETA may authorize Alameda and Vallejo to apply for the funds on its behalf until such time actual operations are transferred to WETA, if specified in the transition plan. Applications from Alameda and/or Vallejo must receive a letter of concurrence from WETA. This is consistent with the direction in SB 1093, signed into law in 2008, which requires that funds historically made available to the City of Vallejo or the City of Alameda continue to be allocated to those cities until the date specified in the Transition Plan.

The Association of Bay Area Governments (ABAG) shall be the sole priority for the Five Percent State General Fund Revenues for bicycle planning.

Project Screening

Individual projects which meet the program eligibility described above will be evaluated based on the following project screening criteria.

Project submittals must meet all of the following screening criteria:

- project is ready for implementation, including having any necessary clearances or approvals, in the year indicated;
- project is well defined and justified in the project proposal;
- applicant has the capacity to implement the project;
- applicant has an adequate project financial plan, with reasonable cost estimates;
- project has been approved by the local entity's policy board; and
- project is identified in or is part of an adopted regional or local transportation plan.

In addition, entities requesting transit operating funds must:

- complete a Short Range Transit Plan (or similar planning document as specified by MTC) that identifies service plans and budgets for at least a 5-year period;
- adhere to the maintenance of effort requirements and any other performance measures identified for transit operators following from the adoption of the 2009 Regional Transportation Plan (RTP); and
- submit data on capital replacement needs to MTC, as requested.

Programming Policies

Five Percent (5%) State General Fund Revenues

- Program 5% State General Fund Revenues from the northern and southern bridge groups to ABAG for administration of the San Francisco Bay Trail project at a \$250,000 funding level. The amount of 5% State General Fund Revenues programmed to ABAG shall be adjusted by the rate of increase in 5% State General Fund Revenues or the rate of increase in the Consumer Price Index, whichever is less, every three years, with the first adjustment occurring with FY 2011-12 based calculations.
- Program the remainder of the 5% State General Fund Revenues from the northern and southern bridge groups to support the continued operations of the Alameda/Oakland, Harbor Bay and Vallejo ferry services. Ferry services will need to have demonstrated an average 40% farebox recovery ratio (the regional average for all publicly-operated services during for the period from 1996 to 2000) for the operating agency in order to ensure continued funding for operations. An operator may meet this requirement based on their average farebox recovery for the most recent three-year period for which National Transit Database statistics

are available or their annual farebox recovery for the most recent year for which data is available.

If an operator is unable to meet the performance measure, the funding that would have gone to the ferry operator could be directed by the Commission to a transit service/route that reduces vehicular congestion in one of the bridge group corridors, and has demonstrated the ability to meet the 40% farebox requirement. The service could be ferry or another transit mode, provided that the service/route can meet the performance measure. At least forty percent of the Five Percent funding must be directed toward ferry operations or capital as required by statute.

Two-Percent (2 %) Bridge Toll Revenues

- Program the 2 % Bridge Toll Revenues from the northern and southern bridge groups, upon application by project sponsors, to ferry capital improvement projects. Priority shall be given to projects or capital needs contained in the WETA transition plan, and to projects that maintain existing ferry services.

Fund Programming Process

- MTC annually estimates the amount of 5% State General Fund Revenues and 2% Bridge Toll Revenues available in the southern and northern bridge groups.
- MTC annually solicits eligible project proposals.
- Applicants submit proposals to MTC for consideration.
- MTC staff evaluates project proposals and develops an annual program of projects for 5% State General Fund Revenues and 2 % Bridge Toll Revenues.
- The program of projects is reviewed by the affected entities.
- MTC adopts the program of projects and allocates the 5% State General Fund Revenues and 2 % Bridge Toll Revenues according to the program.