

**Metropolitan Transportation Commission  
Programming and Allocations Committee**

June 10, 2009

Item Number 5a

**Resolution Nos. 3900 and 3902**

**Subject:** Allocation of Transportation Development Act (TDA) and AB 1107 funding to support transit operations and capital projects.

**Background:** The Committee's actions this month kick off the annual allocation process. Operators requesting Transportation Development Act (TDA) allocations this month that exceed the \$1 million delegated authority limit include AC Transit, County Connection, Golden Gate, LAVTA, Petaluma, Sonoma County Transit, Tri Delta Transit and WestCAT. AC Transit is requesting allocation of AB 1107 funds. Allocation requests less than \$1.0 million are handled separately by the Executive Director's Delegated Authority process. Total allocation requests, greater than \$1.0 million, are summarized below:

Transit Operator/Claimant	Resolution No. 3900 (TDA)	Resolution No. 3902 (AB 1107)	Total
AC Transit	\$44,967,206	\$28,031,267	\$72,998,473
County Connection	13,530,641		13,530,641
Golden Gate	13,780,368		13,780,368
LAVTA	7,035,792		7,035,792
Petaluma	1,253,100		1,253,100
Sonoma County Transit	6,783,702		6,783,702
Tri Delta Transit	7,948,521		7,948,521
WCCTA	2,058,530		2,058,530
<b>Total</b>	<b>\$97,357,860</b>	<b>\$28,031,267</b>	<b>\$125,389,127</b>

Staff will provide a detailed briefing at the July Programming and Allocations Committee meeting on the state of the economy and the economy's impact on Bay Area transit operators' finances. Staff will also recommend revisions to both the FY 2008-09 Fund Estimate and the FY 2009-10 Fund Estimate to reflect actual revenue generation during the current fiscal year and the loss of State Transit Assistance (STA) funds.

**Issues:** **1) Final FY 2008-09 TDA Revenues:** Based on MTC staff analysis of actual Board of Equalization sales tax payments for the last eleven months, the region, as a whole, is expected to receive about \$285 million in TDA funds during FY 2008-09, down from the original estimate of \$311 million, or a drop of 8.5%. AB 1107 funds, which are also sales-tax-based, are expected to be about \$63 million, down from the original estimate of \$68 million, a decline of 8.1%. As noted above, the final revenues and companion rescissions to address the lower revenues will be presented at the July meeting.

**2) Loss of STA Funds:** There are no new STA funds for FY 2009-10. This is a loss of \$54 million in STA funds over what the region will receive this fiscal year, which was already reduced by 50% from the state's original estimate of \$111 million. In addition to creating a hole in transit operating budgets region-wide, the loss of STA will have a particular impact on programs disproportionately funded by this source, such as the BART Feeder Bus Program, the Lifeline Program, TransLink® and 511. Through an agreement between BART and the affected feeder bus operators, there is a proposal to cover roughly 75% of the BART Feeder Bus Program cost for the coming year using a combination of BART General Funds (\$2.5 million) and ARRA funding for transit (\$5.9 million).

**3) Transit Operator Response:** The sudden drop of taxable sales revenue and the loss of STA funds have led to projected Bay Area transit operating budget deficits ranging from 8% to 30%. For FY 2009-10, transit operators are responding to the revenue loss in a variety of ways, including service cuts, fare increases and labor force reductions. AC Transit, BART, Caltrain, Golden Gate and San Francisco Muni, among large operators, have approved fare increases for FY 2009-10. Additionally, AC Transit, BART, San Francisco Muni and Santa Clara VTA are proposing service cuts while Golden Gate and SamTrans are still contemplating service cuts. Among smaller operators County Connection, LAVTA, Sonoma County Transit, Tri Delta Transit and WestCAT are considering both service cuts and fare increases. The chart below and Table A, attached, summarizes the budgets, fare increases and service cuts being proposed by transit operators seeking allocations in June.

Operator	FY 2008-09 Operating Budget	FY 2009-10 Operating Budget	% Change	Revenue Vehicle Hours % Change	Fare Increase
AC Transit	\$323,110,819	\$322,474,216	-0.2%	0.3%	Yes
County Connection	32,262,762	31,026,092	-3.8%	-15.2%	Yes
Golden Gate	98,044,478	103,917,465	6.0%	0.3%	Yes
LAVTA	15,828,728	14,300,748	-9.7%	-20.4%	Yes
Petaluma	2,023,600	2,107,650	4.2%	0.7%	No
Sonoma County Transit	13,693,555	12,628,503	-7.8%	-13.5%	Yes
Tri Delta Transit	18,541,830	17,418,600	-6.1%	-14.5%	Yes
WestCAT	8,044,200	7,696,400	-4.3%	-22.5%	No
<b>TOTAL</b>	<b>511,549,972</b>	<b>511,569,674</b>	<b>0.0%</b>	<b>-4.4%</b>	

**4) Other Relief Measures:** In addition to the above actions planned by the transit operators, the recent infusion of federal ARRA funding for transit provided some financial relief to operating budgets. Transit operators elected to direct roughly \$60 million to preventive maintenance, which will help defray operating expenses. In addition, Item 4a on your agenda today includes a proposal to set-aside \$50 million in federal capital funds that can be used by operators to address the current economic downturn.

**5) TransLink® Condition:** Of the operators seeking an allocation of funds this month, TransLink has been deployed on AC Transit and Golden Gate Transit. MTC staff has requested that all transit agencies submit a plan that describes the schedule and strategy to replace their existing pre-paid fare media with TransLink within two years or less of reaching the agency’s revenue ready milestone, or June 30, 2010 for AC Transit and Golden Gate Transit. Given that TransLink is a key element of the region’s transit coordination requirement and subject to evaluation and consideration in the allocation of TDA funds, MTC conditions the disbursement of TDA funds beyond September 30, 2009 on the submittal of the Plan, and will condition FY2010-11 allocation on implementation of the Plan.

**Recommendation:** Refer MTC Resolution Nos. 3900 and 3902 to the Commission for approval.

**Attachments:** Table A - Transit Operator Budget Summary  
MTC Resolution Nos. 3900 and 3902

**Table A - Transit Operator Budget Summary**

Operator	FY 2008-09 Operating Budget	FY 2009-10 Operating Budget	% Increase	Revenue Vehicle Hours % Increase	FY 2009-10 Operating Request	Allocation Request as a % of Operating Budget	Highlight of FY 2009-10 Budgets
AC Transit	\$323,110,819	\$322,474,216	-0.2%	0.3%	72,998,473	22.6%	<ul style="list-style-type: none"> <li>AC Transit has approved a fare increase of 25 cents, raising the basic fare to \$2.00.</li> <li>Youth fare, senior fare and the people with disabilities fare will go up by 15 cents to become \$1</li> <li>For FY 2009-10 AC's basic service levels will remain at FY 2008-09 levels.</li> <li>Labor costs are held at FY 2008-09 levels.</li> </ul>
County Connection	32,262,762	31,026,092	-3.8%	-15.2%	13,530,641	43.6%	<ul style="list-style-type: none"> <li>County Connection's Revenue Vehicle Hours will decrease by 15.2% in FY 2009-10.</li> <li>Adult fares were increased from \$1.75 to \$2.00 in March, 2009. Senior and Disabled fares were increased to \$1.00 in March 2009.</li> <li>CCCTA's routes are being realigned with new bus schedules and a new route numbering system.</li> <li>Weekend services will change so that both Saturday and Sunday service will operate the same.</li> <li>The free mid day service available to senior and disabled riders with an RTC Discount Card will be eliminated. Seniors and disabled passengers are still eligible to receive discounted fares on fixed-route buses.</li> <li>LINK Paratransit trips will increase to \$4.00 per trip.</li> <li>38 drivers have been laid off.</li> </ul>
Golden Gate	98,044,478	103,917,465	6.0%	0.3%	13,780,368	13.3%	<ul style="list-style-type: none"> <li>On July 1, 2009, regional Golden Gate Transit, Ferry and regional paratransit fares will increase 5% as part of the Five-Year Transit Fare Increase Program approved in March 2006. The 5% fare increases continue annually through 2010</li> </ul>
LAVTA	15,828,728	14,300,748	-9.7%	-20.4%	7,035,792	49.2%	<ul style="list-style-type: none"> <li>LAVTA increased adult fares from \$1.75 to \$2.00 on March 22, 2009.</li> <li>LAVTA eliminated its policy that allowed seniors to ride free. Monday-Friday between 9 AM and 2 PM,</li> </ul>

Table A – Transit Operator Budget Summary  
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Operator	FY 2008-09 Operating Budget	FY 2009-10 Operating Budget	% Increase	Revenue Vehicle Hours % Increase	FY 2009-10 Operating Request	Allocation Request as a % of Operating Budget	Highlight of FY 2009-10 Budgets
Petaluma	2,023,600	2,107,650	4.2%	0.7%	1,253,100	59.5%	<p>and free rides for ADA cardholders on fixed route service.</p> <ul style="list-style-type: none"> <li>Phase I service reductions have been introduced on four routes. Phase II service reductions are also being discussed.</li> <li>Adult fares remain at \$1.00.</li> <li>Paratransit rates are \$2.00 per trip, in both directions.</li> <li>A small increase in Revenue Vehicle Hours is planned for FY 2009-10</li> <li>A 4% fare increase is planned for late June 2009.</li> <li>Service reductions will be implemented in June 2009 on some holiday and weekend services as well as reductions in some less used mid-day routes.</li> <li>Tri Delta Transit is increasing adult, senior and disabled fares by 25 cents in July.</li> <li>Service reductions will occur on certain runs on numerous routes. The Delta Commuter service to Martinez will be eliminated.</li> <li>Tri Delta will change Veteran's Day, the Day after Thanksgiving, Martin Luther King Day and Christmas Eve weekday service on to a holiday schedule.</li> </ul>
Sonoma County Transit	13,693,555	12,628,503	-7.8%	-13.5%	5,662,806	44.8%	<ul style="list-style-type: none"> <li>Tri Delta Transit is increasing adult, senior and disabled fares by 25 cents in July.</li> <li>Service reductions will occur on certain runs on numerous routes. The Delta Commuter service to Martinez will be eliminated.</li> <li>Tri Delta will change Veteran's Day, the Day after Thanksgiving, Martin Luther King Day and Christmas Eve weekday service on to a holiday schedule.</li> </ul>
Tri Delta Transit	18,541,830	17,418,600	-6.1%	-14.5%	7,948,521	45.6%	<ul style="list-style-type: none"> <li>WestCAT approved a 1st tier of service cuts that went into effect at the same time the new Hercules Transit Center was opened this spring.</li> <li>Fares were raised in October 2008. There are no plans to raise fares with this new schedule.</li> <li>A second tier of service cuts will be considered in the fall.</li> </ul>
WestCAT	8,044,200	7,696,400	-4.3%	-22.5%	2,058,530	26.7%	
<b>TOTAL</b>	<b>511,549,972</b>	<b>511,569,674</b>	<b>0.0%</b>	<b>-4.4%</b>	<b>124,268,231</b>	<b>24.3%</b>	

Date: June 24, 2009  
Referred by: PAC

ABSTRACT  
Resolution No. 3900

This resolution approves the allocation of fiscal year 2009-10 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

Discussion of the allocations made under this resolution is contained in the Summary Sheets and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 10, 2009.

Date: June 24, 2009  
Referred by: PAC

Re: Allocation of Fiscal Year 2009-10 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3900

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 2009-10 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 2009-10 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 2009-10 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.

METROPOLITAN TRANSPORTATION COMMISSION

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Scott Haggerty, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 24, 2009.

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS  
 DURING FISCAL YEAR 2009-10

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Appportionment Area/Footnotes
<b>5801 - 99233.7, 99275 Comm Transit Serv- Operations</b>					
AC Transit	Community Transit	2,012,685	01	06/24/09	Alameda County
	<b>Subtotal</b>	<b>2,012,685</b>			
<b>5802 - 99260A Transit - Operations</b>					
AC Transit	Transit Operating	29,519,631	02	06/24/09	AC Transit Ala.Co. D1 [See Note 1]
AC Transit	Transit Operating	7,555,865	03	06/24/09	AC Transit Ala.Co. D2 [See Note 1]
AC Transit	Transit Operating	5,879,025	04	06/24/09	AC Transit C.C.Co. D1 [See Note 1]
CCCTA	Transit Operating	13,530,641	05	06/24/09	CCCTA
Golden Gate	Transit Operating	4,351,200	06	06/24/09	Golden Gate - Sonoma [See Note 1]
Golden Gate	Transit Operating	9,429,168	07	06/24/09	Golden Gate - Marin [See Note 1]
LAVTA	Transit Operating	7,035,792	08	06/24/09	LAVTA
Sonoma County Transit	Transit Operating	5,662,806	09	06/24/09	Sonoma County
WCCTA	Transit Operating	2,058,530	10	06/24/09	WCCTA
Tri Delta Transit	Transit Operating	7,948,521	11	06/24/09	ECCTA
	<b>Subtotal</b>	<b>92,971,179</b>			
<b>5807 - 99400C General Public - Operating</b>					
Petaluma	Transit Operating	1,253,100	12	06/24/09	Petaluma
Sonoma County Transit	Transit Operating	1,120,896	13	06/24/09	NCTPA
	<b>Subtotal</b>	<b>2,373,996</b>			
<b>TOTAL</b>		<b>97,357,860</b>			

**Note:**

(1) Disbursements beyond September 30, 2009 conditioned upon submittal and approval of a plan that describes the schedule and strategy to replace pre-paid fare media with TransLink.

Date: June 24, 2009  
Referred by: PAC

Attachment B  
Resolution No. 3900  
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ALLOCATION OF FISCAL YEAR 2009-10  
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 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 24, 2009  
Referred by: PAC

ABSTRACT

Resolution No. 3902

This resolution approves the allocation of fiscal year 2009-10 AB 1107 half-cent sales tax funds to AC Transit.

Discussion of the allocations made under this resolution are contained in the Summary Sheets and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 10, 2009.

Date: June 24, 2009  
Referred by: PAC

Re: Allocation of Fiscal Year 2009-10 "AB 1107" Half-Cent Sales Tax Funds

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3902

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, Public Utilities Code Section 29142.2(b) provides that, after deductions for certain administrative expenses, twenty-five percent (25%) of the proceeds from the one-half cent transactions and use tax collected within the San Francisco Bay Area Rapid Transit District (hereinafter referred as "AB 1107" funds), shall, on the basis of regional priorities established by MTC, be allocated by MTC to the City and County of San Francisco for the Municipal Railway ("Muni") and to the Alameda-Contra Costa Transit District ("AC Transit"), for transit services; and

WHEREAS, Muni and/or AC Transit has submitted a request for the allocation of fiscal year 2009-10 AB 1107 funds for transit service projects and purposes in accordance with the regional priorities established by MTC; 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 2009-10 allocations requested by Muni and/or AC Transit, 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 findings pertaining to the allocations made under this resolution to Muni and/or AC Transit, as the case may be; and

WHEREAS, Muni and/or AC Transit has certified that its 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 finds that the projects and purposes as listed and recorded in Attachment A are in conformance with MTC's Regional Transportation Plan; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2009-10 funds under this resolution to Muni and/or AC Transit, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A.

METROPOLITAN TRANSPORTATION COMMISSION

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Scott Haggerty, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 24, 2009.

Date: June 24, 2009  
Referred by: PAC

Attachment A  
MTC Resolution No. 3902  
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ALLOCATION OF AB 1107 FUNDS  
DURING FISCAL YEAR 2009-10

<b>Claimant</b>	<b>Project Description</b>	<b>Fare Ratio Percentage</b>		<b>Allocation Amount</b>	<b>Alloc. Code</b>	<b>Approval Date</b>
		<b>FY 08-09</b>	<b>FY 09-10</b>			
AC Transit	Transit Operations	43.5%	53.5%	50% of deposits to MTC's AB 1107 account.	01	06/24/09

ALLOCATION OF FISCAL YEAR 2009-10  
AB 1107 FUNDS

**FINDINGS**

The following findings pertain to the allocation of funds under this resolution to the San Francisco Municipal Transportation Agency (SFMTA) and/or AC Transit, as the case may be.

	<i>AC Transit</i>
1. In accordance with Public Utilities Code §29142.4(a), the operator is a participating member of the Bay Area Partnership, Partnership Transit Coordinating Committee, established by MTC and which serves the function of a regional transit coordinating council.	YES
2. In accordance with Public Utilities Code §29142(c), the operator has complied with the transit system standards established by MTC pursuant to Government Code §66517.5.	YES
3. In accordance with Public Utilities Code § 29142.5, MTC may consider local support revenues in excess of the operator's base amount as fare revenues, as long as by doing so it will enable the operator to maintain or improve vital transit service within a coordinated fare structure. The audited financials submitted by the claimant for FY 2007-08 and included in the proposed FY 2009-10 budget demonstrate a fare ratio of greater than 33 percent when considering other local excess revenue.	YES