

Date: June 24, 2009  
Referred by: PAC  
Revised: 07/22/09-C

ABSTRACT

Resolution No. 3902, Revised

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

This resolution was revised on July 22, 2009 to allocate AB 1107 half-cent sales tax funds to SFMTA.

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 and July 8, 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.

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Attachment A  
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ALLOCATION OF AB 1107 FUNDS  
DURING FISCAL YEAR 2009-10

Claimant	Project Description	Fare Ratio Percentage		Allocation Amount	Alloc. Code	Approval Date
		FY 08-09	FY 09-10			
AC Transit	Transit Operations	43.5%	53.5%	50% of deposits to MTC's AB 1107 account.	01	06/24/09
SFMTA	Transit Operations	62.5%	71.5%	50% of deposits to MTC's AB 1107 account.	02	07/22/09

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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>	<i>SFMTA</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	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	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	YES