

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 4, 2009

Item Number 3a

Resolution No. 3900, Revised

Subject: Allocation of Transportation Development Act (TDA) funds to support transit operations and transit capital.

Background:

1) TDA Allocations

This item continues the annual process for allocating TDA funds. Operators requesting Transportation Development Act (TDA) allocations this month that exceed the \$1 million delegated authority limit include SamTrans and Fairfield. Allocation requests less than \$1 million are handled separately by the Executive Director's Delegated Authority process. Total requests are summarized below:

Claimant	Resolution 3900	Delegated Authority	Total
Fairfield	3,721,648	1,952,294	5,673,942
SamTrans	30,044,899	0	30,044,899
Total	33,766,547	1,952,294	35,718,841

SamTrans is requesting \$30.0 million in TDA funds to support their FY 2009-10 operating budget of \$120.1 million. The FY 2009-10 budget is 3% less than the FY 2008-09 budget. SamTrans plans to increase revenue vehicle hours by 1%. SamTrans has adopted a fare increase, effective February 1, 2010, that will increase base fares from \$1.75 to \$2.00.

Fairfield is requesting \$5.7 million in operating and capital assistance for FY 2009-10. Fairfield's operating budget will increase 6% in FY 2009-10 due primarily to a 9% increase in purchased transportation costs. Pursuant to the board adopted fare policy, Fairfield will base its next fare increase on changes in the Consumer Price Index, to be determined in July 2010.

2) Unmet Transit Needs Finding

Pursuant to state law, TDA Article 8 funds may be used for streets and roads purposes in counties with a population of less than 500,000, if it is determined that all unmet transit needs that are reasonable to meet within the jurisdiction of the TDA claimant have been met (PUC §99401.5 and §99401.6). MTC is responsible for making this determination in the Bay Area region, which includes annually conducting an unmet transit needs public participation process, which is controlled by policies and processes adopted in MTC Resolution No. 2380, revised.

There are four counties in the Bay Area which are subject to the unmet transit needs provisions of the Transportation Development Act: Marin, Napa, Sonoma and Solano. None of the jurisdictions in Marin, Sonoma, and Napa counties claim TDA funds for streets and roads purposes; all of these counties' funds are being used to support transit and paratransit services. Solano, therefore, is the only remaining county in the Bay Area, subject to the annual unmet transit needs process.

In accordance with MTC policy, the FY 2009-10 public participation process was conducted on December 15, 2008 in Solano County. This included a public hearing

and a thirty-day window in which written comments could be submitted. MTC staff reviewed all the issues raised at the hearing and in public comment with the Solano Transportation Authority (STA). These are summarized in Attachment A - Unmet Transit Needs Response.

Based on the responses, MTC staff recommends that there are no transit needs sufficiently substantial to require the preparation of an Unmet Transit Needs Plan and recommends that the Commission make a finding that there are no unmet transit needs that are reasonable to meet in Solano County for FY 2009-10.

Issues:

- (1) MTC staff is concerned about growing county paratransit needs as well as frequent requests by Rio Vista for regional discretionary transit funds, which suggests there are unmet needs in that jurisdiction. Therefore, staff will initiate discussions with the STA, Solano County and Rio Vista to phase out the use of TDA transit funds for streets and roads purposes beginning in FY 2010-11.
- (2) Fairfield's TDA allocation includes funds to operate the intercity routes 20 and 40 but not routes 30 and 90. The funding for routes 30 and 90 are being held pending further discussions between Fairfield and Suisun Transit (FAST) and the Solano Transportation Authority.

Recommendation: Refer MTC Resolution Nos. 3900, Revised to the Commission for approval.

Attachments: Attachment A – Unmet Transit Needs Response
MTC Resolution Nos. 3900, Revised

FY 2009-10
Attachment A – Unmet Transit Needs Response

Issue 1: Request for more stops and shelters at Peabody Road/Huntington Drive for Fairfield Rt. 2. Add shelter with seats on Air Base Parkway. Request for better connections to Vacaville, Vallejo, Benicia, and Rio Vista.

Transit Operator: Fairfield and Suisun Transit (FAST)

Use of TDA: The City of Suisun used TDA funds for streets and road in 2008-09. In FY 2009-10, the Cities of Fairfield and Suisun City will use 100% of their TDA for transit.

Response

As part of the May 2009 service improvement, new shelters, stops and new service will be added to Air Base Parkway and routes in that vicinity. Rt. 2 will be modified to provide better on-time service as well as improved frequencies to its departure from Travis AFB. The Air Base Flex route will have a dedicated shuttle with flexible access to other connection points in Fairfield.

FAST operates intercity services that provide access to outlying cities and communities. The Fairfield Transportation Center serves as a transfer hub to cities in and outside Solano County. FAST is planning on implementing an online trip planner to better facilitate connections throughout Solano County. Rio Vista provides two daily trips to the transfer center. Connections to Vacaville via Rt. 20 are provided throughout the day as well as connections to Benicia via the Rt. 40. Vallejo is served through the Benicia connection Rt. 40 and by Vallejo Transit Rt. 85. FAST intercity routes are set for service improvements in May 2009 that should provide better connection timing for all routes throughout the system. Connections will be better facilitated with implementation of new technology such as Google Transit and real time data provided to the end user.

Issue 2: Request for later service on Rt. 90, more service stopping at Suisun City, better driver training, passenger training, and customer support on Rt.90

Transit Operator: Fairfield and Suisun Transit (FAST)

Use of TDA: The City of Suisun used TDA funds for streets and road in 2008-09. In FY 2009-10, the Cities of Fairfield and Suisun City will use 100% of their TDA for transit.

Response

A recent passenger load study found that later service on Rt. 90 would not be reasonable to meet at this time as ridership would not support later service. As an alternative, in January 2009, FAST eliminated one of the afternoon runs and added an additional PM peak trip during this time when peak capacity was being reached. Service to Suisun City is provided through out the peak hour period. Suisun is also serviced by the Route 5 that provides connections to the 90 as well as other routes for the region.

FAST recently requested that the Customer Service manager make periodic trips on the Rt. 90 to speak with passengers and to become more engaged in this route. This effort should lead to better communication with both riders and drivers. Drivers and managers are undergoing periodic training in customer service and safety on a regular schedule as dictated by FAST.

Issue 3: More service from Benicia to Fairfield in the commute hours and better coordination with Rt. 90 and service to Davis and Sacramento.

Transit Operator: Fairfield and Suisun Transit (FAST)

Use of TDA: The City of Suisun used TDA funds for streets and road in 2008-09. In FY 2009-10, the Cities of Fairfield and Suisun City will use 100% of their TDA for transit.

Response

FAST currently operates the Rt. 40 that serves Benicia with 18 trips per day (weekday). The route operates only during peak commute hours. All routes connect at the Fairfield Transportation Center for connections to the Rt. 90 and Rt. 30 (Davis/Sacramento). At this time, it is not reasonable to increase service to Benicia due to low ridership. All FAST intercity routes are set for service improvements in May 2009 that should provide better connection timing for all routes throughout the system.

Issue 4: Reduce paratransit pickup window to 10 minutes from 15 minutes. Increase pickup "wait" time from 5 minutes to 7 minutes. Increase ability to schedule trips-- longer than one week in advance. Earlier ADA service in Fairfield and removal of 'standby' status for trips.

Transit Operator: Fairfield and Suisun Transit (FAST)

Use of TDA: The City of Suisun used TDA funds for streets and road in 2008-09. In FY 2009-10, the Cities of Fairfield and Suisun City will use 100% of their TDA for transit.

Response

FAST recently explored the possibility of changing the policy of the pickup/wait times for Paratransit Riders. It found that the current time provides the needed flexibility for a diverse group of riders. The ability to schedule trips only one week in advance has reduced abuse of the system. Additionally it provides the needed flexibility to both riders and the dispatchers to better plan the most efficient way to create the daily manifests. Removing of the Standby status has the potential for causing the DART/Paratransit to run inefficiently when riders cancel their scheduled ride.

Standbys are defined as those riders who call in for a ride but cannot be accommodated due to a full manifest for that day. Riders who were not able to schedule a trip due to unavailable space are asked if they would like to be placed on the standby list in the event a trip that is scheduled is cancelled and they are then moved onto that manifest. Paratransit service places approximately 10-15 standbys per week or 50-60 per month (approximately 2%). Of those put into the standby status, 80% receive trips. Approximately 2-3 standbys are scheduled daily. Having Standby status allows riders and the operations the additional flexibility to run as efficiently as possible and provide as many trips as possible. If the standby list were eliminated those who cancel their trips or miss their trip would preclude others who could not get on the list from making their trip. The vehicles would then remain idle for that period.

Issue 5: Request for return of hourly headways to Rt. 3 and increased frequency for Rt. 78. Later service on Vallejo Rt. 5 from the Vallejo Center of Solano College.
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Transit Operator: Vallejo Transit

Use of TDA: The City of Vallejo uses 100% of their TDA for transit.

Response

The service changes required to address the issue have been recently studied and determined not reasonable based on locally established standards. Since 1999, Vallejo Transit had been incurring operating deficits due to increasing operating expenses, sporadic escalations in the price of fuel, and a growing disparity between the rate of increase of rising operating expenses and transit revenues and a deferred capital program. Beginning in 2006 and continuing through 2007, a series of service adjustments and cuts and fare increases helped bring the Transportation fund within budget and with the addition of JARC/New Freedom funds made new service to SCC with Route 5 possible in the last year. Route 78 is part of the Intercity Funding Agreement in Solano County and is supported with Regional Measure 2 money. The system is currently undergoing a major restructuring of routes, but given the recent State budget cuts and elimination of the State Transit Assistance Fund, Vallejo Transit's restructuring will most likely be unable to address these unmet needs. Vallejo Transit has lost 15-16% of this funding source that is used to fund bus operations. Economic stimulus money to cover preventative maintenance expenses will fund operating deficits of the existing level of service only for the next two years. Without additional funding, in lieu of the need to fund other more heavily utilized lifeline routes (ex: Route 1 and 2), later and more frequent service is not expected to be possible on any routes.

Issue 6: Develop more stops on Columbus Parkway for Route 22 and a more direct route to Benicia.

Transit Operator: Benicia Breeze

Use of TDA: The City of Benicia uses 100% of its TDA for transit.

Response

The Benicia Breeze Route 21 serves the western-most Rose Drive Shopping Center, which is the end-point for Columbus Parkway. Route 21 is a flex route, which means that it stops wherever a passenger requests along Columbus Parkway "inside the City of Benicia boundary lines." The Benicia Breeze does not have adequate funding to expand Route 21 along Columbus Parkway that falls within the City of Vallejo boundary lines.

Date: June 24, 2009
Referred by: PAC
Revised: 07/22/09-C 10/28/09-C
11/18/09-C

ABSTRACT

Resolution No. 3900, Revised

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.

This resolution was revised on July 22, 2009 to allocate additional funds to various claimants for transit operating.

This resolution was revised on October 28, 2009 to allocate additional funds to various claimants for transit operating.

This resolution was revised on November 18, 2009 to allocate additional funds to various claimants for transit operating and capital purposes.

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, July 8, 2009, October 14, 2009 and November 4, 2009.

Date: June 24, 2009
 Referred by: PAC
 Revised: 07/22/09-C 10/28/09-C
 11/18/09-C

Attachment A
 MTC Resolution No. 3900
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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	Apportionment Area/Footnotes
5801 - 99233.7, 99275 Comm Transit Serv- Operations					
AC Transit	Community Transit	2,012,685	01	06/24/09	Alameda County
	Subtotal	2,012,685			
5802 - 99260A Transit - Operations					
AC Transit	Transit Operating	29,519,631	02	06/24/09	AC Transit Ala.Co. D1
AC Transit	Transit Operating	7,555,865	03	06/24/09	AC Transit Ala.Co. D2
AC Transit	Transit Operating	5,879,025	04	06/24/09	AC Transit C.C.Co. D1
CCCTA	Transit Operating	13,530,641	05	06/24/09	CCCTA
Golden Gate	Transit Operating	3,924,145	06	06/24/09	Golden Gate - Sonoma
Golden Gate	Transit Operating	8,920,706	07	06/24/09	Golden Gate - Marin
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
Vallejo	Transit Operating	1,139,335	14	07/22/09	Vallejo
NCTPA	Transit Operating	3,215,613	15	07/22/09	NCTPA
SFMTA	Transit Operating	27,103,484	16	07/22/09	SFMTA
SFMTA	Transit Operating	1,428,435	16	07/22/09	SFMTA (See Note 1)
Union City	Transit Operating	2,503,190	19	10/28/09	Union City
VTA	Transit Operating	64,483,622	20	10/28/09	VTA
VTA	Transit Operating	3,393,875	20	10/28/09	VTA (Note 1)
SamTrans	Transit Operating	28,477,104	21	11/18/09	SamTrans
SamTrans	Transit Operating	1,567,795	21	11/18/09	SamTrans (Note 1)
Fairfield	Transit Operating	1,153,358	22	11/18/09	Fairfiled
	Subtotal	226,501,473			
5803 - 99260A Transit - Capital					
Fairfield	Facility Improvement	1,540,933	23	10/28/09	Fairfield
	Subtotal	1,540,933			
5807 - 99400C General Public - Operating					
Petaluma	Transit Operating	1,253,100	12	06/24/09	Petaluma
Sonoma County Transit	Transit Operating	1,120,896	13	06/24/09	Sonoma County Transit
NCTPA	Transit Operating	1,516,127	17	07/22/09	NCTPA
Fairfield	Transit Operating	1,027,357	24	11/18/09	Fairfield
	Subtotal	4,917,480			
5812 - 99400D Planning & Admin - Operating					
NCTPA	Planning & Admin	1,053,477	18	07/22/09	NCTPA
	Subtotal	1,053,477			
TOTAL		236,026,048			

Note:

(1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.

Date: June 24, 2009
Referred by: PAC
Revised: 11/18/09-C

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.
5. That for purposes of reviewing each claim for TDA Article 8 streets and roads purposes, MTC has, pursuant to Public Utilities Code § 99401.5(c), adopted a definition of "unmet transit needs" and "unmet transit needs that are reasonable to meet" and procedures and criteria for making findings of unmet transit needs that are reasonable to meet (MTC Resolution No. 2380, Revised); and
6. That the County of Solano, through the countywide coordination activities of the Solano Transportation address those needs, and has made available to MTC, Solano County's long-term transportation plan and other documentation to provide a basis for revising appropriate portions of MTC's Regional Transportation Plan.