

Date: June 24, 2009
W.I.: 1255
Referred by: PAC
Revised: 07/22/09-DA 09/23/09-C
09/23/09-DA 11/18/09-C
03/24/10-DA 04/28/10-C

ABSTRACT

Resolution No. 3898, Revised

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2009-10.

This resolution was revised on July 22, 2009 to allocate operating funds to WETA under Delegated Authority.

This resolution was revised on September 23, 2009 to allocate operating funds to AC Transit for Express Bus service; to Vallejo-WETA for ferry operations; and, under Delegated Authority, to WETA for program operations, to NCTPA and ECCTA for Express Bus operations, and to SF MTA for Owl Bus service operations.

This resolution was revised on November 18, 2009 to allocate operating funds to SFMTA for T-Third light rail service operations.

This resolution was revised on March 24, 2009, under Delegated Authority, to allocate operating funds to MTC for TransLink[®] Marketing.

This resolution was revised on April 28, 2009 to allocate operating funds to MTC for TransLink[®] operations; and to WETA for ferry operations.

Additional discussion of these allocations is contained in the Programming & Allocation Committee Summary Sheets dated June 10, 2009, September 9, 2009, November 4, 2009; and March 10, 2009; and the Executive Director's memorandum to the Commission dated June 24, 2009, July 22, 2009, September 23, 2009, November 18, 2009, March 24, 2010 and April 28, 2010.

Date: June 24, 2009
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Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2009-10

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3898

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

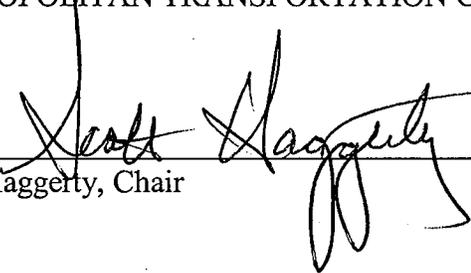
RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the project sponsor complying with the provisions of the

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



Scott Haggerty, 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 24, 2009.

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Attachment A
MTC Resolution No. 3898
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FY 2009-10 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	\$825,000	01	06/24/09-DA
MTC	Translink Operations	\$6,000,000	02	06/24/09
MTC	Translink Marketing Program	\$1,080,000	03	06/24/09
Water Emergency Transportation Authority	Planning and administration	\$3,000,000	04	06/24/09
AC Transit	Express Bus Service	\$2,586,429	05	06/24/09
AC Transit	Owl Bus Service	\$1,138,908	06	06/24/09
AC Transit	Enhanced/Rapid Bus Service	\$2,637,508	07	06/24/09
County Connection	Express Bus Route 980	\$414,090	08	6/24/09-DA
Golden Gate	Express Bus Route 40	\$2,195,925	09	06/24/09
Golden Gate	Express Bus Route 72x	\$151,264	10	06/24/09-DA
Vallejo	Express Bus Service	\$1,223,840	11	06/24/09
Vallejo/WETA	Ferry Service	\$2,740,500	12	06/24/09
WestCAT	Express Bus Route 30Z	\$249,294	14	06/24/09-DA
WestCAT	Express Bus Routes: LYNX, JPX	\$317,950	15	06/24/09-DA
WETA	Program Operations	\$1,300,000	16	03/24/10
AC Transit	Express Bus Service	\$2,291,526	05	09/23/09
Vallejo/WETA	Ferry Service	\$2,000,000	12	09/23/09
WETA	Program Operations	\$500,000	16	09/23/09-DA
NCTPA	Express Bus: Vallejo Intermodal	\$390,000	17	09/23/09-DA
ECCTA	Express Bus Route 300	\$531,835	18	09/23/09-DA
SFMTA	Owl Service Route 14	\$187,501	21	09/23/09-DA
SFMTA	T-Third Light Rail	\$2,500,000	19	11/18/09-C
MTC	Translink Operations	\$2,000,000	02	04/28/10-C
WETA	Program Operations	\$120,000	16	04/28/10-C
	TOTAL	\$36,381,570		

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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 # 13

Lead Sponsor: MTC

Project Title: TransLink® operating support

- 1) These funds are for initial operating support of the TransLink® program. Since TransLink® is a support program and not a transit service, the performance measure policy shall not apply.

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 # 11

Lead Sponsor: Water Emergency Transit Authority (WETA)

Project Title: Planning and administration.

- 1) These funds are limited to planning/administrative expenses consistent with the FY 2009-10 WETA 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 # 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 F: 20% is required in FY 2009-10; this route is anticipated to meet the standard.

Rte LA: 20% was required in FY 2006-07; this route is anticipated to continue to meet the standard.

Rte NL: 20% was required in FY 2007-08; this route is anticipated to continue to meet the standard.

Rte NX1: 30% is required in FY 2009-10; this route is anticipated to meet the standard.

Rte NX2: 30% is required in FY 2009-10; this route is anticipated to meet the standard.

Rte O: 30% is required in FY 2009-10; this route is anticipated to meet the standard.

Rte P: 30% is required in FY 2009-10; this route is anticipated to meet the standard.

Rte U: 30% was required in FY 2007-08; this route is anticipated to continue to meet the standard.

Rte W: 30% is required in FY 2009-10; this route is anticipated to meet the standard.

Projects # 7.1

Lead Sponsors: AC Transit

Project Title: Owl bus service.

- 1) In accordance with MTC's Policies and Procedures, Routes 800 and 801 were subject to a 10% farebox ratio in FY 2007-08. Both routes met performance standards in FY 2007-08. Route 801 is not projected to meet the farebox recovery performance standard in FY 2008-09. If a Compliance Review of all FY 2008-09 RM2 Operating Projects confirms it does not meet the farebox recovery performance standard, funding for this service may be recommended to be discontinued in FY 2010-11.

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 # 3.1

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 # 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 and is not projected to meet the farebox recovery performance standard in FY 2008-09. If a Compliance Review of all FY 2008-09 RM2 Operating Projects confirms it does not meet the farebox recovery performance standard, funding for this service may be recommended to be discontinued in FY 2010-11.

Projects # 3.5

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 and is anticipated to continue meeting the performance measure standards.

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.
Rtes 80 and 85: 20% starting in FY 2006-07; these routes achieved the standard during the FY 2007-08 Compliance Review and are anticipated to continue meeting the standard.

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.

Project # 4.1

Lead Sponsor: WestCAT

Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, LYNX Service between Hercules to the Transbay Terminal 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.
- 2) In accordance with MTC's Policies and Procedures, Route JPX service between El Cerrito Del Norte BART and the Hercules Transit Center is subject to a farebox recovery ratio of 20%. 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: Route 30Z Express Bus service.

- 1) In accordance with MTC's Policies and Procedures, Route 30Z Express bus service between Hercules, Pinole and Martinez 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 # 6.2

Lead Sponsor: Water Emergency Transit Authority (WETA)

Project Title: Planning and administration.

- 1) These funds are limited to operating expenses consistent with the FY 2009-10 WETA Work Plan submitted to MTC and embodied in the Operating Assistance Proposal.
- 2) This project is not subject to the RM2 operating performance standards.
- 3) The allocation will be used to support the follow Operating projects:
 - Spare Vessel Operations not to exceed \$1,000,000
 - Transition Plan Expense not to exceed \$600,000
 - Emergency Response Equipment not to exceed \$20,000

Project # 2

Lead Sponsor: NCTPA

Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, Napa VINE Service between Calistoga and the Vallejo Ferry Terminal is subject to the following peak-hour farebox recovery ratio of 30% in FY 2010-11.

Project # 3.4

Lead Sponsors: Tri-Delta

Project Title: Express bus service.

- 1) In accordance with MTC's Policies and Procedures, Route 300 Express bus all-day service was subject to a 20% farebox ratio beginning in FY 2007-08. This service fell less than one percentage point short of the farebox recovery performance standard in FY2008-09, based on the existing reporting methodology. The route will be allocated full funding in FY 2009-10.

Project # 10.2

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 2008-09 and is projected to continue meeting the standard.

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 # 3.5

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 was verified to have met 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 and is projected to continue meeting the standard.

Regional Measure 2 Operating Assistance Proposal Fact Sheet

Legislative Project #: 11

Project Description: Water Emergency Transit Authority Planning and Administration

WETA Annual Budget

	FY 2008-09 Actual	FY 2009-10 Proposed	FY 2010-11 Proposed	FY 2011-12 Proposed	FY 2012-13 Proposed	FY 2013-14 Proposed
Operating Expenses						
<i>WETA Administration Expense (Planning & Develop</i>	\$3,015,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
<i>WETA Spare Vessels</i>	\$0	\$1,120,000	\$750,000	\$300,000	\$300,000	\$300,000
<i>Alameda/Oakland</i>	\$0	\$4,279,196	\$4,438,983	\$4,605,137	\$4,777,927	\$4,957,635
<i>Alameda Harbor Bay</i>	\$0	\$1,749,781	\$1,815,802	\$1,884,505	\$1,956,007	\$2,030,428
<i>Vallejo</i>	\$0	\$14,705,227	\$15,262,425	\$15,842,083	\$16,445,161	\$17,072,660
<i>South San Francisco</i>	\$0	\$0	\$748,071	\$3,212,206	\$3,332,558	\$3,457,726
<i>Berkeley</i>	\$0	\$0	\$0	\$1,629,322	\$5,272,944	\$5,475,185
Total	\$3,015,000	\$24,854,204	\$26,015,281	\$30,473,253	\$35,084,597	\$36,293,634
Operating Revenues*						
RM1	\$0	\$2,898,045	\$2,898,045	\$2,898,045	\$2,898,045	\$2,898,045
RM2 Planning/Admin.	\$3,000,000	\$3,000,000	\$10,423,497	\$13,390,404	\$16,636,115	\$17,400,284
RM2 Operating Assistance **		\$1,620,000				
Interest	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
FTA Sec 5307 (PM)		\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Fares	\$0	\$9,714,000	\$10,177,770	\$11,632,934	\$12,961,230	\$13,367,268
Other Govt. grants	\$15,000	\$1,446,932	\$1,515,969	\$1,551,870	\$1,589,207	\$1,628,037
Total	\$3,060,000	\$19,723,977	\$26,060,281	\$30,518,253	\$35,129,597	\$36,338,634

	FY 2008-09 Actual	FY 2009-10 Proposed	FY 2010-11 Proposed	FY 2011-12 Proposed	FY 2012-13 Proposed	FY 2013-14 Proposed
Capital Expenses						
<i>WETA Capital Expense (incl. Planning)</i>	\$42,422,400	\$15,876,000	\$46,270,000	\$17,420,000	\$16,570,000	\$8,820,000
<i>WETA Spare Vessels</i>	\$0	\$200,000	\$0	\$0	\$150,000	\$0
<i>Alameda/Oakland</i>	\$0	\$1,780,000	\$8,010,000	\$2,670,000	\$230,000	\$380,000
<i>Alameda Harbor Bay</i>	\$0	\$2,550,000	\$250,000	\$880,000	\$15,000	\$930,000
<i>Vallejo</i>	\$0	\$7,730,000	\$7,000,000	\$1,000,000	\$835,000	\$860,000
<i>South San Francisco</i>	\$0	\$13,000,000	\$0	\$13,000,000	\$0	\$150,000
<i>Berkeley</i>	\$0	\$12,500,000	\$0	\$17,700,000	\$21,600,000	\$0
Total	\$42,422,400	\$53,636,000	\$61,530,000	\$52,670,000	\$39,400,000	\$11,140,000
Capital Revenues						
Federal	\$7,626,500	\$16,686,800	\$13,989,100	\$7,436,000	\$8,330,380	\$1,856,000
State	\$11,500,000	\$18,353,800	\$34,166,000	\$32,472,550	\$14,116,620	\$4,255,750
Local	\$23,295,900	\$18,595,400	\$13,374,900	\$12,761,450	\$16,953,000	\$5,028,250
Total	\$42,422,400	\$53,636,000	\$61,530,000	\$52,670,000	\$39,400,000	\$11,140,000

* RM2 Operating Allocation of \$2,740,500 for Vallejo is not represented in Operating Revenues; allocation made June 24, 2009 under allocation code 10389812

** Allocation will be used to support the following Operating projects:

- WETA - Spare Vessel Operating Not to exceed \$1,000,000 for FY09/10
- WETA - Transition Plan Expense Not to exceed \$600,000 for FY09/10
- WETA - Emergency Response Equipment Not to exceed \$20,000 for FY09/10