

Date: June 23, 2010  
Referred by: PAC  
Revised:

**ABSTRACT**  
Resolution No. 3950

This resolution approves the allocation of fiscal year 2010-11 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 9, 2010.

Date: June 23, 2010  
Referred by: PAC

Re: Allocation of Fiscal Year 2010-11 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3950

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 2010-11 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 2010-11 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 2010-11 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 23, 2010.

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Attachment A  
MTC Resolution No. 3950  
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ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS  
DURING FISCAL YEAR 2010-11

<b>Claimant</b>	<b>Project Description</b>	<b>Allocation Amount</b>	<b>Alloc. Code</b>	<b>Approval Date</b>	<b>Apportionment Area/Footnotes</b>
<b>5802 - 99260A Transit - Operations</b>					
CCCTA	Transit Operating	11,418,351	01	06/23/10	CCCTA
LAVTA	Transit Operating	5,555,019	02	06/23/10	LAVTA
NCTPA	Transit Operating	1,706,400	03	06/23/10	NCTPA
Sonoma County Transit	Transit Operating	4,845,533	04	06/23/10	Sonoma County Transit
	<b>Subtotal</b>	<b>23,525,303</b>			
<b>5803 - 99260A Transit - Capital</b>					
NCTPA	Transit Capital	4,756,874	05	06/23/10	NCTPA
	<b>Subtotal</b>	<b>4,756,874</b>			
<b>5813 - 99400E Contractual - Capital</b>					
Vacaville	Transit Capital	1,274,000	06	06/23/10	Vacaville
	<b>Subtotal</b>	<b>1,274,000</b>			
<b>5807 - 99400C General Public - Operating</b>					
NCTPA	Transit Operating	1,441,269	07	06/23/10	NCTPA
	<b>Subtotal</b>	<b>1,441,269</b>			
	<b>TOTAL</b>	<b>30,997,446</b>			

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ALLOCATION OF FISCAL YEAR 2010-11  
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.

**Table A - Transit Operator Budget Summary**

<b>Operator</b>	<b>FY 2008-09 Operating Budget</b>	<b>FY 2009-10 Operating Budget</b>	<b>% Increase</b>	<b>Revenue Vehicle Hours % Increase</b>	<b>FY 2009-10 Operating Request</b>	<b>Allocation Request as a % of Operating Budget</b>	<b>Highlight of FY 2009-10 Budgets</b>
<b>CCCTA</b>	30,313,937	31,528,710	4%	0%	17,098,478	54%	<ul style="list-style-type: none"> <li>• County Connection's budget will increase by 4% in FY 2010-11.</li> <li>• Largest percentage component of cost increase is fuel and lubricants at 19%.</li> <li>• Revenue vehicle miles will remain flat in FY 2010-11.</li> <li>• No fare increases are currently planned.</li> </ul>
<b>LAVTA</b>	14,300,748	14,120,366	-1%	10%	7,596,640	54%	<ul style="list-style-type: none"> <li>• LAVTA's budget will decrease by 1% in FY 2010-11.</li> <li>• Labor costs will decrease by 3% but fringe benefits will increase by 32%.</li> <li>• General services will decrease by 21% and material and supplies will decrease by 24%.</li> <li>• Adding new express bus route 10, supported by RM2 Operating funds.</li> </ul>
<b>NCTPA</b>	10,263,730	11,290,100	10%	3%	5,504,700	49%	<ul style="list-style-type: none"> <li>• NCTPA anticipates no fare increases in FY 2010-11.</li> <li>• Some small service adjustments are possible in FY 2010-11.</li> <li>• NCTPA's budget will increase by 10% and service hours will increase by 3%.</li> </ul>
<b>SCT</b>	12,320,959	12,803,905	4%	2%	8,154,980	64%	<ul style="list-style-type: none"> <li>• Sonoma County Transit's budget will increase by 4% in FY 2010-11 primarily due to increases in Purchased Transportation.</li> <li>• Revenue vehicle hours will increase 2%.</li> </ul>
<b>Vacaville</b>	1,438,555	1,525,013	6%	4%	995,617	65%	<ul style="list-style-type: none"> <li>• Vacaville's FY 2010-11 budget will increase by 6% matched by a 4% increase in revenue vehicle hours.</li> </ul>
<b>WETA</b> (Includes Vallejo & Alameda ferries)	23,006,926	24,971,702	9%	N/A	3,950,000	20%	<ul style="list-style-type: none"> <li>• WETA's budget shows a 9% increase in FY 2010-11.</li> <li>• WETA staff has been meeting with City of Alameda and City of Vallejo to continue discussions on the terms of the ferry service transitions.</li> </ul>