

**Metropolitan Transportation Commission
Programming and Allocations Committee**

July 14, 2010

Item Number 2c

Resolution No. 3966

Subject: Programming and allocation of approximately \$3 million in Five Percent Unrestricted State Fund Revenues and \$500,000 in Two Percent Bridge Toll Revenues. The Five Percent Revenues are proposed to continue to fund the San Francisco Bay Trail project and ferry operations, on behalf of the Water Emergency Transportation Authority (WETA), the Alameda/Oakland Ferry, Alameda Harbor Bay Ferry, and Vallejo ferry services through FY 2010-11. The Two Percent Revenues are proposed to fund specific ferry capital improvements and maintenance.

Background: The Two Percent Bridge Toll revenues are derived from the transit element of Regional Measure 1. The Five Percent Unrestricted State Fund Revenues are state funds derived from a cooperative agreement between the California Department of Transportation, Federal Highway Administration, and the Bay Area Toll Authority (BATA) following state action to “federalize” certain toll bridge projects under BATA’s jurisdiction. The state funds replace the Five Percent Bridge Toll Program funds originally generated from RM 1 bridge toll revenues for ferry operations. Programming and allocations policies were established in Resolution No. 3288 in July 2000 and revised in April 2002, July 2002 and April 2009.

In July 2002, the Commission implemented a 40% farebox recovery performance measure requirement for eligibility to claim Five Percent Unrestricted State Fund Revenues. All of the ferry operators report exceeding the 40% target.

In April 2009, Resolution No. 3288 was revised to establish the Association of Bay Area Governments (ABAG/Bay Trail Project) as the single priority for bicycle planning projects funded by the Five Percent State General Fund Revenues. The Commission also recognized the planned transition of ferry services from Alameda/Oakland and Vallejo to WETA and required WETA concurrence in applications for ferry service and projects. Also, because WETA will become the sole eligible applicant when transition agreements between WETA/City of Alameda and WETA/City of Vallejo are complete, staff recommends that disbursement of operating funding for the 3rd and 4th quarter revenues be conditioned on either WETA assuming operation of the ferry services or WETA and the ferry operators completing an MOU to allow WETA to claim and pass through funding for FY 2011-12.

Issues: The transition of ferry service to WETA has been slow. Staff is working with the agencies to address resource constraints to achieve a timely implementation. The recommended conditional disbursement of 3rd and 4th quarter funds are intended to encourage this transition.

Recommendation: Refer MTC Resolution No. 3966 to the Commission for approval.

Attachments: MTC Resolution No. 3966

Date: July 28, 2010
W.I.: 1514
Referred by: PAC

ABSTRACT

Resolution No. 3966

This resolution approves the Five Percent Unrestricted State Fund Revenues and the Two Percent Bridge Toll Revenues program of projects and allocation of funds for the FY 2010-11. Attachment A to this resolution lists the projects to be funded.

Further discussion of the programming and allocation is contained in the MTC Programming and Allocations Summary sheet dated July 14, 2010.

Date: July 28, 2010
W.I.: 1514
Referred by: PAC

RE: Programming and Allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues in the Fiscal Year 2010-11 to Various Claimants

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3966

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq., and

WHEREAS, with the toll increase authorized by the Regional Measure I, approved by the voters on November 8, 1988, 3% of the revenue from the toll increase collected on all the state-owned bridges in the region may be allocated by MTC pursuant to Streets and Highways Code §§ 30913 and 30914, for certain projects which are designed to reduce vehicular traffic congestion on these bridges; and

WHEREAS, Streets and Highways Code §§ 30913 and 30914 have been amended to require that an additional 2% of those toll revenues be allocated by MTC for the planning, construction, and acquisition of rapid water transit systems; and,

WHEREAS, pursuant to Streets and Highways Code § 30894, MTC has adopted MTC Resolution No. 2004, revised which sets forth MTC's Bridge Toll Revenue Allocation Policy; and

WHEREAS, MTC has adopted Resolution No. 3288, Revised which established the Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues Interim Programming and Allocation Policy; and

WHEREAS, the claimants listed on Attachment A have submitted applications to MTC for allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Revenues in FY 2010-11; and

WHEREAS, those applications are for projects and purposes that are in conformance with MTC's Regional Transportation Plan, with the requirements of the California Environmental Quality Act (Public Resources Code § 2100 et seq.) and the State Environmental Impact Report Guidelines (14 Cal. Admin. Code § 15000 et seq.); now therefore, be it

RESOLVED, that MTC approves the programming and allocation of Five Percent Unrestricted State Fund Revenues and Two Percent Bridge Toll Funds in FY 2010-11 to the claimants, in the amounts, for the purposes, and subject to the conditions listed on Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on July 28, 2010.

ALLOCATION OF FIVE PERCENT UNRESTRICTED STATE FUND REVENUES AND
TWO PERCENT BRIDGE TOLL REVENUES
FOR FISCAL YEAR 2010-11

Five Percent Unrestricted State Fund Revenues

Claimant	Project Title	Allocation		Approval Date
		Amount	Alloc. Code	
City of Vallejo, on behalf of WETA	Baylink Ferry Operations ³	1,256,800	01	7/21/2010
City of Alameda, on behalf of WETA	Alameda-Oakland Ferry Operations ³	1,353,807	02	7/21/2010
City of Alameda, on behalf of WETA	Harbor Bay Ferry Operations ³	164,350	03	7/21/2010
ABAG	Bay Trail Project Operations	<u>250,000</u>	04	7/21/2010
Total - Five Percent Unrestricted State Fund Revenues		\$3,024,957		

Two Percent Bridge Toll Revenues

Claimant	Project Title	Allocation		Approval Date
		Amount	Alloc. Code	
<i>Southern Bridge Group</i>				
City of Alameda, on behalf of WETA	Alameda Harbor Bay Barge Replacement ¹	68,000	06	7/21/2010
City of Alameda, on behalf of WETA	Peralta Port Radar	15,000	07	7/21/2010
City of Alameda, on behalf of WETA	Ferry Terminal Parking Lot Rehabilitation ²	<u>417,000</u>	08	7/21/2010
	Subtotal	500,000		
Total - Two Percent Restricted Bridge Toll Revenues		\$500,000		
TOTAL		\$3,524,957		

¹ Purchase and modification of barge, installation of barge at Harbor Bay, disposal of old barge.

² Resurfacing and striping of Harbor Bay and Main Street ferry terminal parking lots.

³ Disbursement of 4th quarter payments is conditioned on either WETA assuming operation of the ferry services or WETA and the ferry operators developing an MOU to allow WETA to claim and pass through RM2 funds or passed through to the agencies from WETA.