

Date: February 24, 2010
W.I.: 1511
Referred by: PAC
Revised: 06/23/10-C
07/28/10-C
12/15/10-C

ABSTRACT

Resolution No. 3939, Revised

This resolution approves the FY 2010-11 Fund Estimate, including the distribution and apportionment of Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill (AB) 1107 sales tax and transit-related bridge toll funds.

This resolution was revised on June 23, 2010 to reflect STA revenue made available by the State for FY 2009-10 and FY 2010-11.

This resolution was revised on July 28, 2010 to reflect actual receipts for TDA, STA and AB1107 funds in FY 2009-10, the rescission actions that were necessary to match FY 2009-10 allocations to the actual revenue collected, the allocations of excess revenue for FY 2009-10 per operators' requests, and updated estimates of available funding for FY 2010-11.

This resolution was revised on December 15, 2010, to reflect the availability of \$801,024 to the Bay Area Transit District (BART), from SamTrans' apportionment of State Transit Assistance Revenue-Based funding, for BART to San Francisco Airport extension operations, pursuant to Resolution No. 3795.

Further discussion of this action is contained in the summary sheets and MTC Executive Director's memoranda dated February 10, 2010, June 9, 2010, July 14, 2010, and December 8, 2010.

Date: February 24, 2010
W.I.: 1511
Referred by: PAC

RE: Determination of Transportation Development Act (TDA) Area Apportionments and Proposed Distribution of Operating Funds for FY 2010-11

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3939

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, the Transportation Development Act (TDA), Public Utilities Code (PUC) Sections 99200 *et seq.*, provides that funds are made available from the Local Transportation Fund (LTF) for various transportation purposes; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6620, the County Auditor for each of the nine counties in the Bay Area has submitted the revised and new TDA fund estimates for FY 2008-09 and FY 2009-10 as shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC is required to determine and advise all prospective claimants, prior to March 1 each year, of all area apportionments from the LTF for the following fiscal year pursuant to 21 California Code of Regulations Section 6644; and

WHEREAS, all area apportionments of TDA funds for the 2009-10 fiscal year are shown in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC has prepared a proposed distribution of operating assistance funds, including TDA, State Transit Assistance (STA) pursuant to Public Utilities Code § 99310 *et seq.*, the twenty-five percent (25%) of the one-half cent transaction and use tax collected pursuant to PUC Section 29142.2 (AB 1107), and estimates of certain toll bridge revenues (SHC §§ 30910 *et. seq.*), in order to provide financial information to all prospective claimants to assist them in developing budgets in a timely manner; and

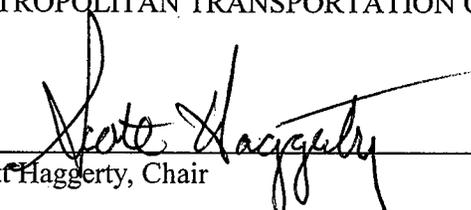
WHEREAS, the proposed distribution of such operating assistance funds is also shown in Attachment A; now, therefore, be it

RESOLVED, that MTC approves the area apportionments of TDA funds, and the proposed distribution of operating assistance funds for the 2010-11 fiscal year as shown in Attachment A, subject to the conditions noted therein; and, be it further

RESOLVED, that MTC intends to allocate operating assistance funds for the 2010-11 fiscal year, based on the area apportionments of TDA funds, the proposed distribution of operating assistance funds and upon the receipt of appropriate claims from eligible claimants; and, be it further

RESOLVED, that Attachment A may be revised by the MTC Executive Director or his designee to reflect funds returned to the Local Transportation Fund and expired capital allocations or by approval of the MTC Programming and Allocations Committee, except that any significant changes shall be submitted to the full Commission for approval.

METROPOLITAN TRANSPORTATION COMMISSION



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 February 24, 2009.

FY 2010-11 FUND ESTIMATE
TDA & STA Fund Subapportionment for Alameda & Contra Costa
And Implementation of Operator Agreements

Attachment A
Res No. 3939
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December 15, 2010

ARTICLE 4.5 AND STA PARATRANSIT SUBAPPORTIONMENT

Apportionment Jurisdictions	Alameda		Contra Costa	
	Article 4.5	STA Paratransit	Article 4.5	STA Paratransit
<i><u>Total</u></i>	<i><u>2,456,526</u></i>	<i><u>1,864,541</u></i>	<i><u>1,341,969</u></i>	<i><u>972,294</u></i>
AC Transit	2,245,019	1,700,461	405,811	294,022
LAVTA	83,522	98,821	-	-
Pleasanton	45,446	-	-	-
Union City	82,539	65,259	-	-
CCCTA			555,025	402,131
ECCTA			292,683	212,057
WestCat			88,449	64,084

IMPLEMENTATION OF OPERATOR AGREEMENTS

Total Available BART STA Revenue-Based Funds		28,212,643		
Total Available BART Article 4 Funds		314,574		
Total Feeder Bus Expense		8,893,488		
Total Feeder Bus Payment from BART STA Funds		8,578,914		
Total Feeder Bus Payment from BART Article 4 Funds		314,574		
Remaining BART STA Base Revenue Funds		19,633,729		
Fund Source	Apportionment Jurisdictions	Claimant	Amount ¹	Program
BART STA Base Revenue	BART	AC Transit	3,600,000	Transfer Payment ²
BART STA Base Revenue	BART	CCCTA	616,358	BART Feeder Bus
BART STA Base Revenue	BART	LAVTA	369,126	BART Feeder Bus
BART STA Base Revenue	BART	ECCTA	2,003,794	BART Feeder Bus
BART STA Base Revenue	BART	WestCat	1,989,636	BART Feeder Bus
Subtotal of BART STA Base Revenue Funds			8,578,914	
TDA Article 4	BART-Alameda	LAVTA	149,657	BART Feeder Bus
TDA Article 4	BART-Contra Costa	WestCat	164,917	BART Feeder Bus
Subtotal of BART Article 4 Funds			314,574	
Total Available SamTrans STA Revenue-Based Funds		4,191,627		
SamTrans STA Revenue Base	SamTrans	BART	801,024	SFO Operating Expense
Remaining SamTrans Revenue Base Funds		3,390,603		
TDA Article 4	Union City	AC Transit	116,699	Union City service
TDA Article 4	Union City	AC Transit	37,435	Route DB Subsidy
Subtotal of Union City Article 4 Funds			154,134	

1. Amounts assigned to the claimants in this page will reduce the funds available for allocation in the corresponding apportionment jurisdictions by the same amounts.

2. Per an agreement between BART and AC Transit, AC Transit is guaranteed to receive \$2,460,084 and the balance of \$1,139,916 will be payable after December 31, 2010, pending further discussions between BART and AC Transit.