

Date: April 27, 2011  
W.I.: 1121  
Referred by: Planning Committee

ABSTRACT

Resolution No. 4006

This resolution approves the Committed Funds and Projects Policy for Plan Bay Area.

Further information is contained in the Executive Director's memoranda dated April 8, 2011.

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RE: Plan Bay Area: Approval of Committed Funds and Projects Policy

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4006

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

WHEREAS, MTC develops a long-range Regional Transportation Plan (RTP), pursuant to Government Code §§ 66513 and 65080; and

WHEREAS, the last major update of the RTP was adopted in April 2009 (MTC Resolution No. 3893) and the Plan was modified through an administrative modification in May 2010; and

WHEREAS, MTC is updating its 2013 RTP, known as Plan Bay Area; and

WHEREAS, MTC has developed a Committed Funds and Projects Policy for Plan Bay Area; and

WHEREAS, Attachment A of this resolution, attached hereto and incorporated herein as though set forth at length, defines criteria to determine committed funding sources and transportation projects; and

RESOLVED, that MTC adopts the Committed Funds and Projects Policy.

METROPOLITAN TRANSPORTATION COMMISSION

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Adrienne Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on December 17, 2003.

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## **Committed Funds and Projects Policy for Plan Bay Area**

### **Purpose**

The Committed Policy for Plan Bay Area will:

1. Determine which projects proposed for inclusion in the Plan are not subject to discretionary action by the Commission because the projects are fully funded and are too far along in the project development process to consider withdrawing support. Projects that are 100 percent funded through local funds are considered committed and not subject to a project-level performance assessment. All other projects that are not fully funded nor sufficiently advanced in the project development process will undergo a project performance assessment. The results of the performance assessment will be presented to the Commission for its review, and the Commission may consider these results, along with other policy factors, when deciding on transportation projects to be included in the financially constrained plan.
2. Determine which fund sources are subject to discretionary action by the Commission for priority projects and programs. The determination of which fund sources are deemed “committed” affects the amount of transportation revenues that will be subject to discretionary action by the Commission.

### **Policy Elements**

#### **1. Prior Commitment Criteria – Project**

The following criteria are proposed to determine Regional Transportation Plan/Sustainable Communities Strategy (Plan Bay Area) prior commitments. Projects that do not meet these criteria will be subject to the project performance assessment.

A transportation project/program that meets any one of the following criteria would be deemed “committed”:

#### **Option 1 – Environmental Certification**

1. Project has a certified Environmental Impact Report (EIR) or Record of Decision for Environmental Impact Statement (EIS) by May 1, 2011.
2. Proposition 1B Corridor Mobility Improvement Account (CMIA) and Trade Corridor Improvement Fund (TCIF) projects with full funding and approved baseline agreements as of February 2011.
3. Project has a full funding plan.
4. Resolution 3434 Program – Project has a certified Environmental Impact Report (EIR) and/or Record of Decision for Environmental Impact Statement (EIS) by May 1, 2011. In addition, project has a full funding.

5. Regional Programs – Regional programs with executed contracts through contract period only and 1<sup>st</sup> and 2<sup>nd</sup> Cycle Regional Programs with New Act Funding through 2015 (see **Table 2a and 2b**).

**Option 2 - Construction**

1. Project is under construction, as indicated by utility relocation, subsequent construction activities, or vehicle award by May 1, 2011.
2. Proposition 1B Corridor Mobility Improvement Account (CMIA) and Trade Corridor Improvement Fund (TCIF) projects with full funding and approved baseline agreements as of February 2011.
3. Project has full funding plan.
4. Resolution 3434 Program – Project is under construction, as indicated by utility relocation or subsequent construction activities, or vehicle award, by May 1, 2011. In addition, project has full funding plan.
5. Regional Programs – Regional programs with executed contracts through contract period only and 1<sup>st</sup> and 2<sup>nd</sup> Cycle Regional Programs with New Act Funding through 2015 (see **Table 2a and 2b**).

**Table 1: Illustration of Committed Projects, Using T2035 Projects\***  
(Capacity Increasing, Greater than \$50 million)

	<b>T2035 # of Projects</b>	<b>Option 1 # of Projects</b>	<b>Option 2 # of Projects</b>
Planning	13		
Environmental	21		
Design	17	17	
Right-of-Way	5	5	
Construction	14	14	14
Total Count	70	36	14

\*Notes:

- (1) Additional T2035 projects may have progressed to construction
- (2) Some projects included in the numbers above are deemed committed because they are Proposition 1B CMIA or TCIF projects

**Table 2a: Ongoing Regional Operations Program**

Committed Project	Uncommitted Project
Clipper contract executed to FY 2018-19	Clipper FY 2019-20 and beyond
511 contract executed to FY 2018-19	511 FY 2019-20 and beyond
Freeway Service Patrol/Call Boxes funded with SAFE funds	FSP Funded with STP funding
Transit Connectivity (up to \$10 million)	Any remaining program needs beyond \$10 million commitment

**Table 2b: Regional Programs**

Committed Programs – 1 <sup>st</sup> and 2 <sup>nd</sup> Cycle of New Act Funding through FY 2015
Local Road Maintenance
Regional Bicycle Program
Lifeline Program
Climate Initiatives Program
Transit Rehabilitation (currently funded in TIP)
Transportation for Livable Communities (TLC)
CMA/Regional Agency Planning Funds
Freeway Performance Initiative (FPI)

**2. Prior Commitment – Funding Sources**

Funding for the Plan comes from a number of sources. Each funding source has specific purposes and restrictions. The federal, state, regional and local funds included in the draft Plan revenue forecasts as either committed or discretionary funds are defined below and listed in Table 3.

- Committed funding is directed to a specific entity or for a specific purpose as mandated by statute or by the administering agency.
- Discretionary funding is defined as:
  - Subject to MTC programming decisions.
  - Subject to compliance with Commission allocation conditions.

The following criteria are proposed to determine Plan prior commitments:

- A transportation fund that meets any one of the following criteria would be deemed “committed”:
  1. Locally generated and locally subvented funds stipulated by statute
  2. Fund source that is directed to a specific entity or purpose as mandated by statute or by the administering agency

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**Table 3: Committed versus Discretionary Funds**

<b>Committed Funds</b>	<b>Discretionary Funds</b>
<b>Federal</b>	
FTA New Starts Program	FTA Section 5307, Urbanized Area Formula (Capital)
FHWA Bridge/Safety Program, Highway Bridge Rehabilitation (HBR)	FTA Section 5309 Fixed Guideway Program
FTA Bus & Bus Facilities Program	FHWA Surface Transportation Program (STP)
FTA Section 5310 Elderly & Disabled	FHWA Congestion Mitigation and Air Quality Improvement (CMAQ) Program
FTA Small Starts	FTA Section 5316 Job Access and Reverse Commute (JARC)
FHWA Ferry Boat Discretionary	FTA Section 5317 New Freedom
American Recovery and Reinvestment Act (ARRA) High-Speed Rail Program	FTA Section 5311 Non-Urbanized Area Formula
<b>State</b>	
State Highway Operations and Protection Program (SHOPP)	State Transportation Improvement Program (STIP); Regional Transportation Improvement Program (RTIP) County Shares
Traffic Congestion Relief Program (TCRP)	STIP: Interregional Road/Intercity Rail (ITIP)
State Transit Assistance (STA) Revenue Based	STIP: Transportation Enhancements (TE)
Gas Tax Subvention	STA Population Based – PUC 99313
Proposition 1B	
Proposition 1A (High-Speed Rail)	
<b>Regional</b>	
AB 1107 ½ cent sales tax in three BART counties (75% BART Share)	AB 1107 ½ cent sales tax in three BART counties (only includes 25% share that MTC administers as discretionary)
BATA Base Toll Revenues and Seismic Retrofit Funds	AB 664
Regional Measure 2 (RM2)	2% Toll Revenues
Service Authority for Freeway and Expressways (SAFE)	5% State General Funds
	RM1 Rail Extension Reserve
	AB 1171
	Regional Express Lane Network Revenues
	Bridge Toll Increase
<b>Local</b>	
Existing locally adopted transportation sales tax	Transportation Development Act (TDA)
Local Funding for Streets and Roads	Regional funds identified as match to sales tax-funded local projects
Transit Fare Revenues	
San Francisco Municipal Transportation Agency (SFMTA) General Fund/Parking Revenue	
Golden Gate Bridge Toll	
BART Seismic Bond Revenues	
Property Tax/Parcel Taxes	
Vehicle Registration Fees per Senate Bill 83 (Hancock)	

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Committed Funds	Discretionary Funds
Public Private Partnerships	
Anticipated Funds	
	Anticipated Funds

### 3. Projects Exempt from Senate Bill 375

SB 375 provides that projects programmed for funding on or before December 31, 2011, are not required to be subject to the provisions required in the SCS or Alternative Planning Strategy (APS) if they are:

- Contained in the 2007 or 2009 Federal Statewide Transportation Improvement Program, or
- Funded pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2, or
- Were specifically listed in a ballot measure prior to December 31, 2008, approving a sales tax increase for transportation projects.

A project's status as exempt under these SB 375 provisions does not preclude MTC from evaluating it for inclusion in the Plan per the project performance assessment process and at Commission discretion based on financial constraint, policy or other considerations.