

**Metropolitan Transportation Commission
Programming and Allocations Committee**

June 8, 2011

Item Number 2c

Resolution No. 3913, Revised

- Subject:** Allocation of bridge toll funds to the Transbay Joint Powers Authority (TJPA) for the operation and maintenance of the Transbay Terminal Building.
- Background:** Pursuant to Streets and Highways Code 30914 (b), the Commission shall allocate toll bridge revenues in an annual amount not to exceed three million dollars (\$3,000,000), plus a 3.5-percent annual increase, to Caltrans or to the TJPA after Caltrans transfers the title of the Transbay Terminal Building to that entity, for operation and maintenance expenditures. The transfer of title to TJPA occurred on August 6, 2010. This allocation shall be payable from funds transferred by the Bay Area Toll Authority. This transfer of funds is subordinate to any obligations of BATA, now or hereafter existing, having a statutory or first priority lien against the toll bridge revenues.
- The FY2010-11 BATA budget includes \$3.8 million for operation and maintenance of the Transbay Terminal Building, pursuant to Streets and Highways Code 30914 (b). The funds will be used for operating and maintaining the Temporary Terminal, which will serve as the Transbay Transit Center during the demolition and construction of the new Transbay Transit Center.
- Summary:** In September 2010, the Commission approved a \$2.9 million allocation to the TJPA, equal to seventy-five percent of the \$3.8 million specified in the BATA budget. Resolution No. 3913 included a provision that once final invoices are received from Caltrans for eligible expenses between July 1 and August 6, 2010, the TJPA allocation amount will be revised to equal the BATA budgeted \$3.8 million minus any eligible FY2010-11 expenses incurred by Caltrans before the transfer of ownership. Eligible expenses incurred by Caltrans totaled \$494,150. The current TJPA request is for the remaining unallocated funds, \$460,059.
- Issues:** None
- Recommendation:** Refer MTC Resolution No. 3913, Revised to the Commission for approval.
- Attachments:** MTC Resolution No. 3913, Revised.

Date: September 22, 2010
W.I.: 1255
Referred By: PAC
Revised: 06/22/11-C

ABSTRACT

Resolution No. 3913, Revised

This resolution approves the annual allocation of bridge tolls to the Transbay Joint Powers Authority for operation and maintenance of the Transbay Terminal Building, pursuant to California Streets and Highways Code 30914(b).

This resolution was revised on June 22, 2011 to amend Attachment A to incorporate a second allocation for FY2010-11.

Additional discussion is contained in the Programming and Allocations Committee Summary sheets dated September 8, 2010 and June 8, 2011.

Date: September 22, 2010
W.I.: 1255
Referred By: PAC

RE: Approval of allocation of bridge toll funds to Transbay Joint Powers Authority for the operation and maintenance of the Transbay Terminal Building

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3913

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, 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, pursuant to Streets and Highways Code 30914(b), MTC shall allocate toll bridge revenues in an annual amount not to exceed three million dollars (\$3,000,000) plus a 3.5-percent annual increase, to the department or to the Transbay Joint Powers Authority after the department transfers the title of the Transbay Terminal Building to that entity, for operation and maintenance expenditures. This allocation shall be payable from funds transferred by the Bay Area Toll Authority; and

WHEREAS, the transfer of ownership of the Transbay Terminal Building from the state to the Transbay Joint Powers Authority occurred on August 6th, 2010, now be it

RESOLVED, that MTC approves the allocation and reimbursement of bridge toll funds in accordance with the amount, reimbursement schedule, and conditions set forth in Attachment A; 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 a regular meeting of the Commission held in Oakland, California on September 22, 2010.

**Bridge Tolls Pursuant to Streets and Highways Code 30914 (b)
Allocation of Funds**

Project Title: Transbay Terminal Building
Sponsor: Transbay Joint Powers Authority

Allocation No.1 - FY2010-11 Operations and Maintenance of Transbay Terminal Building					
Activities to be funded with Allocation and conditions:					
Eligible operating and maintenance expenditures. This allocation to TJPA is for \$2,862,628, equal to 75% of the BATA budgeted \$3,816,837. Once Caltrans submits final invoices for eligible expenses between July 1, 2010 and August 6, 2010, the TJPA allocation will be revised to equal the BATA budgeted \$3.8 million minus any eligible FY2010-11 expenses incurred by Caltrans before the transfer of ownership. Allocation is conditioned on approval of the application package by the TJPA Board.					
	Approval Date		Amount	Reimbursement Year	Cumulative Total To Date
	22-Sep-10	\$	2,862,628	2010-11	\$ 2,862,628
Allocation No.2 - FY 2010-11 Operations and Maintenance of Transbay Terminal Building					
Activities to be funded with Allocation and conditions:					
Eligible operating and maintenance expenditures. Caltrans eligible expenses between between July 1, 2010 and August 6, 2010 equal \$494,150, subject to revision based on annual audit completion. This second allocation to TJPA is equal to the BATA budgeted \$3.8 million minus the eligible Caltrans expenses minus Allocation #1 above. The allocation may be revised based on completion of the audit review, related to the Caltrans expenses.					
	Approval Date		Amount	Reimbursement Year	Cumulative Total To Date
	22-Jun-11	\$	460,059	2010-11	\$ 3,322,687