

**Metropolitan Transportation Commission
Programming and Allocations Committee**

June 13, 2012

Item Number 4a

Resolution Nos. 4059, 4061, 4062, and 4063

Subject: Allocation of \$185.5 million in Transportation Development Act (TDA), State Transit Assistance (STA), Assembly Bill 1107 (1107) and Regional Measure 2 (RM2) funds to support transit operations and capital projects.

Background: Entities requesting TDA, STA, AB1107 and RM2 allocations this month that exceed the \$1 million delegated authority limit are identified in the table below. Allocation requests less than \$1.0 million are approved separately through the Executive Director’s Delegated Authority process. The allocation requests are consistent with the adopted MTC Fund Estimate (Resolution 4051 for TDA, STA and AB1107 funds) and the RM2 Operating Program (MTC Resolution 4058). Total allocation requests, greater than \$1.0 million, are summarized below:

| Transit Operator/Claimant | Resolution No. 4061 (TDA) | Resolution No. 4062 (STA) | Resolution No. 4063 (AB1107) | Resolution No. 4059 (RM2) | Total |
|----------------------------------|----------------------------------|----------------------------------|-------------------------------------|----------------------------------|-----------------------|
| AC Transit | \$ 53,435,801 | \$ 19,923,438 | \$ 32,600,000 | \$ 11,930,168 | \$ 117,889,407 |
| County Connection (CCCTA) | \$ 11,644,800 | \$ 3,803,068 | | | \$ 15,447,868 |
| LAVTA | \$ 8,805,633 | | | | \$ 8,805,633 |
| NCTPA | \$ 5,006,100 | | | | \$ 5,006,100 |
| Petaluma | \$ 1,111,932 | | | | \$ 1,111,932 |
| WestCAT (WCCTA) | \$ 1,962,652 | \$ 1,861,727 | | | \$ 3,824,379 |
| WETA | | | | \$ 16,000,000 | \$ 16,000,000 |
| MTC | | \$ 17,463,000 | | | \$ 17,463,000 |
| Total | \$81,966,918 | \$43,051,233 | \$32,600,000 | \$27,930,168 | \$ 185,548,319 |

Attachment A identifies some of the key changes in operator budgets from FY2011-12 to FY2012-13 as well as expected changes in service levels. Most transit operators’ service levels will remain unchanged in FY2012-13.

Issues: AC Transit is the only large transit operator requesting allocation of funds this month. As a reminder, over the past 2.5 years, MTC has approved the re-assignment of \$52.5 million in federal funds from capital to operating expenses to support AC Transit operations under the condition that AC Transit:

1. Spend federal capital funds on capital improvements and bus purchases
2. Avoid or Limit Service Reductions
3. Continue to Reduce Operating Costs
4. Seek Additional Revenues

As a condition of the release of the final portion of this federal funding, in January 2012, the AC Transit Board adopted Resolution #12-004, in which they resolved that the Board “Agrees to the recommendations presented by MTC to achieve short and long-term financial sustainability and to the conditions set for the release of revenue funding as set forth.”

Progress toward implementing these recommendations has been mixed. Currently, AC Transit still plans to continue a transfer of about \$10 million annually from federal capital funding to operations. In the near term, AC Transit plans to meet its capital requirements with the use of Proposition 1B transit funds. Ending the transfer of funds from the capital to operating budget in the long-term is contingent upon reauthorization of the Alameda County sales tax, or Measure B3, in November 2012 and dedication of future sales tax proceeds to backfill this transfer, or other new revenues. Passage of Measure B3 would yield roughly \$20 million a year in additional operating revenue.

AC Transit continues to make efforts to manage operating costs:

- Overtime costs for FY2011-12 are currently less than budgeted; and
- Two facilities—a maintenance facility and a paratransit facility—have been closed leading to reduced operating costs of approximately \$1 million in FY2011-12 and \$1.5 million in the coming fiscal year.

Further, \$7.5 million in service cuts previously planned for FY2012-13 have been eliminated. FY2012-13 operating costs are expected to increase by 3% as compared to the prior year.

At the Legislation Committee meeting on June 8th, staff is recommending that MTC endorse Alameda County Measure B3 for several compelling reasons, one of which is its potential to help stabilize AC Transit’s persistent operating budget challenges. Absent those new revenues and continued cost controls, AC Transit will continue to struggle along its path to financial sustainability.

Recommendation: Refer MTC Resolution Nos. 4059, 4061, 4062 and 4063 to the Commission for approval.

Attachments: Attachment A – Transit Operator Budget Summary.
MTC Resolution Nos. 4059, 4061, 4062 and 4063

Attachment A - Transit Operator Budget Summary

| Operator | FY 2011-12 Operating Budget | FY 2012-13 Operating Budget | % Change | Revenue Vehicle Hours % Increase | FY2012-13 Operating Request | Allocation Request as a % of Operating Budget | Highlight of FY2011-12 Budgets |
|----------------------------------|-----------------------------|-----------------------------|----------|----------------------------------|-----------------------------|---|--|
| AC Transit | \$312,480,000 | \$321,725,000 | 3.0% | 0% | \$119,725,985 | 37.2% | <ul style="list-style-type: none"> No service changes or fare increases are currently anticipated in FY 2012-13. Labor costs are projected to increase 3% due to increased costs associated with meal and rest break and travel time settlement. About \$2 million in increased costs is offset by a like amount of RM2 revenue for the Dumbarton Bus Service. |
| County Connection (CCCTA) | \$ 30,563,104 | \$ 32,640,452 | 6.8% | 1% | \$ 18,087,590 | 55.4% | <ul style="list-style-type: none"> The cost of labor and fringe benefits is expected to increase 8%. Fuel costs are expected to increase 31% and utilities are expected to rise by 21%. |
| LAVTA | \$ 14,645,675 | \$ 15,215,090 | 3.9% | 1% | \$ 9,509,382 | 62.5% | <ul style="list-style-type: none"> O&M costs will rise due to increases in both the fixed route (1.5%) and paratransit (2%) service contracts. O&M costs are 61% of the budget. Insurances costs have increased 26% primarily due to a change in methodology. The budget now shows gross costs rather than net costs. A small increase in service hours is planned. However, operating costs could be significantly reduced if USDOT permits changes in headway on the Rapid from 15 minutes to 10 minutes. This change is not currently reflected in the budget. |
| NCTPA | \$ 10,055,500 | \$ 12,624,700 | 25.6% | 4% | \$ 6,291,700 | 50% | <ul style="list-style-type: none"> The cost of planning and administration will increase 39.7%, primarily due to several new projects including the Napa Valley Vine Trail and Safe Routes to Schools. Public transit expenses are expected to increase 9% due to increases in the cost of fuel and expansion in service hours. |
| Petaluma | \$ 1,834,227 | \$ 1,995,862 | 8.8% | 14% | \$ 1,393,706 | 70% | <ul style="list-style-type: none"> Vehicle operating and maintenance costs are expected to increase 23% and revenue hours are expected to increase 14%. O&M costs are 61% of the budget. The budget includes a 22% increase for the cost of fuel. |

Attachment A - Transit Operator Budget Summary

| Operator | FY 2011-12 Operating Budget | FY 2012-13 Operating Budget | % Change | Revenue Vehicle Hours % Increase | FY2012-13 Operating Request | Allocation Request as a % of Operating Budget | Highlight of FY2011-12 Budgets |
|------------------------|-----------------------------|-----------------------------|----------|----------------------------------|-----------------------------|---|--|
| WCCTA (WestCat) | \$ 8,889,200 | \$ 9,244,600 | 4.0% | 0% | \$ 5,534,288 | 60% | <ul style="list-style-type: none"> • The budget generally assumes a baseline inflation of 5%, • The cost of purchased transportation will increase 2% according to contract. • The budget includes a 13% increase for the cost of fuel. |
| WETA | \$ 20,468,190 | \$ 26,202,780 | 28.0% | 11% | \$ 13,000,000 | 50% | <ul style="list-style-type: none"> • The budget includes \$3.3 million for the cost of South San Francisco Service which began on June 4, 2012. • This budget includes the full cost of operating the Vallejo Ferry. Last year, Vallejo operated this service for one quarter. |

Date: June 27, 2012
W.I.: 1255
Referred by: PAC

ABSTRACT

Resolution No. 4059

This resolution approves the allocation of the Regional Measure 2 operating and planning funds for FY 2012-13.

Discussion of the allocations made under this resolution is contained in the MTC Operator Summaries and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 13, 2012.

Date: June 27, 2012
W.I.: 1255
Referred by: PAC

Re: Allocation of Regional Measure 2 funds for transit operations and planning for FY 2012-13

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 4059

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, 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, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and programs eligible for RM2 funding for transit operating and planning assistance as identified in Streets and Highways Code Section 30914(d).

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636, Revised); and

WHEREAS, MTC has reviewed the allocation requests submitted for RM2 transit operations and planning funds from the project sponsor(s) listed in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length funds; and

WHEREAS, project sponsors seeking RM2 funds are required to submit an Operating Assistance Proposal (OAP), pursuant to Streets and Highway Code Section 30914(e) to MTC for review and approval, which demonstrates a fully funded operating plan and consistency with the performance measures, as applicable; and

WHEREAS, Attachment A lists the projects requested by project sponsors for RM2 funding, project specific conditions, and amounts recommended for RM2 allocation by MTC staff; and

RESOLVED, that MTC approves staff's review of the OAP for the projects listed in Attachment A; and be it further

RESOLVED, that MTC approves the allocation of RM2 funds in accordance with Attachment A; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the project sponsor complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set for in length in MTC Resolution 3636; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as 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

Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 27, 2012.

Date: June 27, 2012
W.I.: 1255
Referred by: PAC

Attachment A
MTC Resolution No. 4059
Page 1 of 1

FY 2012-13 ALLOCATION OF REGIONAL MEASURE 2 FUNDS
FOR TRANSIT OPERATIONS AND PLANNING

| Claimant | Project Description | Allocation Amount | Allocation Code | Approval Date | Project Number | Farebox Requirement | Note |
|-----------------|-----------------------------|--------------------------|------------------------|----------------------|-----------------------|---|-------------|
| WETA | Planning and Administration | 3,000,000 | 01 | | 11 | n.a. | 1 |
| WETA | Ferry Operating | 13,000,000 | 02 | | 6 | 40% Peak service, 30% All Day Service | 1 |
| AC Transit | Express Bus Service | 5,427,904 | 03 | 06/27/12 | 4 | 30% Peak, 20% All Day | |
| AC Transit | Dumbarton Bus | 2,168,641 | 04 | 06/27/12 | 5 | 20% | |
| AC Transit | Owl Bus Service | 1,333,623 | 05 | 06/27/12 | 7 | 10% | |
| AC Transit | Enhanced/Rapid Bus Service | 3,000,000 | 06 | 06/27/12 | 9 | n.a. | |
| Total | | 27,930,168 | | | | | |

Date: June 27, 2012
Referred by: PAC

ABSTRACT
Resolution No. 4061

This resolution approves the allocation of fiscal year 2012-13 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 Sheet presented to the Programming and Allocations Committee on June 13, 2012.

Date: June 27, 2012
Referred by: PAC

Re: Allocation of Fiscal Year 2012-13 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4061

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 2012-13 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 2012-13 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 2012-13 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; and, be it further

RESOLVED, that all TDA allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 27, 2012.

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
DURING FISCAL YEAR 2012-13

All TDA allocations are subject to continued compliance with MTC Resolution 3866,
the Transit Coordination Implementation Plan.

| Claimant | Project Description | Allocation Amount | Alloc. Code | Approval Date | Apportionment Area/Footnotes | Note |
|---|---------------------|-------------------|-------------|---------------|------------------------------|------|
| 5802 - 99260A Transit - Operations | | | | | | |
| NCTPA | Transit Operating | 3,048,000 | 01 | 6/27/2012 | NCTPA | |
| CCCTA | Transit Operating | 11,644,800 | 02 | 6/27/2012 | CCCTA | |
| LAVTA | Transit Operating | 7,093,991 | 03 | 6/27/2012 | LAVTA | |
| WCCTA | Transit Operating | 1,962,652 | 04 | 6/27/2012 | WCCTA | |
| AC Transit | Transit Operating | 35,616,458 | 05 | 6/27/2012 | AC Transit D1 (Alameda) | |
| AC Transit | Transit Operating | 9,397,635 | 06 | 6/27/2012 | AC Transit D2 (Alameda) | |
| AC Transit | Transit Operating | 5,780,273 | 07 | 6/27/2012 | AC Transit D1 (Contra Costa) | |
| AC Transit | Transit Operating | 2,641,435 | 08 | 6/27/2012 | Alameda County | 1 |
| Petaluma | Transit Operating | 1,111,932 | 09 | 6/27/2012 | Petaluma | |
| | Subtotal | 78,297,176 | | | | |
| 5803 - 99260A Transit - Capital | | | | | | |
| NCTPA | Transit Capital | 1,958,100 | | 6/27/2012 | NCTPA | |
| LAVTA | Transit Capital | 1,711,642 | | 6/27/2012 | LAVTA | |
| | Subtotal | 3,669,742 | | | | |
| | TOTAL | 81,966,918 | | | | |

Note:

(1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.

Date: June 27, 2012
Referred by: PAC

Attachment B
Resolution No. 4061
Page 1 of 3

ALLOCATION OF FISCAL YEAR 2012-13
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.

Date: June 27, 2012
Referred by: PAC

ABSTRACT
Resolution No. 4062

This resolution approves the allocation of State Transit Assistance (STA) funds for fiscal year 2012-13.

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 13, 2012.

Date: June 27, 2012
Referred by: PAC

Re: Allocation of Fiscal Year 2012-13 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4062

WHEREAS, pursuant to Government Code § 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., provides that the State Controller shall, pursuant to Public Utilities Code Section 99310, allocate funds in the Public Transportation Account (“PTA”) to the MTC region to be subsequently allocated by MTC to eligible claimants in the region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6, MTC has created a State Transit Assistance (“STA”) fund which resides with the Alameda County Auditor for the deposit of PTA funds allocated to the MTC region; and

WHEREAS, pursuant to Public Utilities Code Sections 99314.5(a) and 99314.5(b), claimants eligible for Transportation Development Act Article 4 and Article 8 funds are eligible claimants for State Transit Assistance funds; and

WHEREAS, eligible claimants have submitted applications to MTC for the allocation of fiscal year 2012-13 STA 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 2012-13 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, pursuant to 21 California Code of Regulations Section 6754, and MTC Resolution No. 2310, Revised, 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 2012-13 STA 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 Cal. Code of Regs. §§ 6621 and 6753, a certified copy of this resolution, along with written allocation instructions for the disbursement of STA funds as allocated herein, shall be forwarded to the Alameda County Auditor; and, be it further

RESOLVED, that all STA allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 27, 2012.

ALLOCATION OF FISCAL YEAR 2012-13 STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which State Transit Assistance funds are allocated under this resolution.

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 PUC §§ 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 Cal. Code of Regs. § 6651), and with the applicable state regulations (21 Cal. Code of Regs. § 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 PUC § 99268, or with the applicable fare or fares-plus-local-support recovery ratio requirement (PUC §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5), or with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in PUC §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and
4. That each claimant is making full use of federal funds available under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act for the 21st Century (SAFETEA), as amended; and
5. That the sum of each claimant's allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount the claimant is eligible to receive, in accordance with the calculations prescribed by 21 Cal. Code of Regs. § 6633.1 or § 6634; and

6. That MTC has given priority consideration to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or areawide public transportation needs; and
7. That each claimant has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC § 99244; and
8. That each claimant has submitted to MTC a copy of a certification from the California Highway Patrol verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (“Pull Notice Program”), as required by PUC § 99251; and
9. That each claimant is in compliance with the eligibility requirements of PUC §§ 99314.6 or 99314.7; and
10. That each claimant has certified that it has entered into a joint fare revenue sharing agreement with every connecting transit operator, and that it is in compliance with MTC’s Transit Coordination Implementation Plan, pursuant to Government Code §§ 66516 and 66516.5, PUC §§ 99314.5(c) and §99314.7, and MTC Resolution No. 3055, Revised.

ALLOCATION OF STATE TRANSIT ASSISTANCE FUNDS
 DURING FISCAL YEAR 2012-13

All STA allocations are subject to continued compliance with MTC Resolution 3866,
 the Transit Coordination Implementation Plan.

| Claimant | Project Description | Allocation Amount | Alloc. Code | Approval Date | Apportionment Area |
|--|------------------------------------|-------------------|-------------|---------------|-------------------------|
| 6730B Capital Costs - Population-based MTC Regional Coordination | | | | | |
| MTC | Clipper | 12,189,000 | 01 | 06/27/12 | MTC |
| | Subtotal | 12,189,000 | | | |
| 6730A Operating Costs - Population-based Regional Paratransit | | | | | |
| AC Transit | Paratransit Operating | 1,152,857 | 02 | 06/27/12 | Alameda County |
| | Subtotal | 1,152,857 | | | |
| 6730A Operating Costs - Revenue-based | | | | | |
| WCCTA | Transit Operating | 1,861,727 | 03 | 06/27/12 | BART |
| AC Transit | Transit Operating | 2,460,000 | 04 | 06/27/12 | BART |
| AC Transit | Transit Operating | 12,180,810 | 05 | 06/27/12 | AC Transit D1 (Alameda) |
| | Subtotal | 16,502,537 | | | |
| 6730A Operations - Population-based Lifeline | | | | | |
| AC Transit | Cycle 3: Preserve Existing Service | 4,129,771 | 06 | | |
| | Subtotal | 4,129,771 | | | |
| 6730A Operating Costs - Population-based MTC Regional Coordination | | | | | |
| MTC | Clipper | 5,274,000 | 07 | 06/27/12 | MTC |
| | Subtotal | 5,274,000 | | | |
| 6731C Paratransit - Operating - Population-based Small Operator/Northern Counties | | | | | |
| CCCTA | Transit Operating | 3,803,068 | 08 | 06/27/12 | CCCTA |
| | Subtotal | 3,803,068 | | | |
| | TOTAL | 43,051,233 | | | |

Date: June 27, 2012
Referred by: PAC

ABSTRACT

Resolution No. 4063

This resolution approves the allocation of fiscal year 2012-13 AB 1107 half-cent sales tax funds to AC Transit.

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 13, 2012.

Date: June 27, 2012
Referred by: PAC

Re: Allocation of Fiscal Year 2012-13 "AB 1107" Half-Cent Sales Tax Funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4063

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, Public Utilities Code Section 29142.2(b) provides that, after deductions for certain administrative expenses, twenty-five percent (25%) of the proceeds from the one-half cent transactions and use tax collected within the San Francisco Bay Area Rapid Transit District (hereinafter referred as "AB 1107" funds), shall, on the basis of regional priorities established by MTC, be allocated by MTC to the City and County of San Francisco for the Municipal Railway ("Muni") and to the Alameda-Contra Costa Transit District ("AC Transit"), for transit services; and

WHEREAS, Muni and/or AC Transit has submitted a request for the allocation of fiscal year 2012-13 AB 1107 funds for transit service projects and purposes in accordance with the regional priorities established by MTC; 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 2012-13 allocations requested by Muni and/or AC Transit, 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 findings pertaining to the allocations made under this resolution to Muni and/or AC Transit, as the case may be; and

WHEREAS, Muni and/or AC Transit has certified that its 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 finds that the projects and purposes as listed and recorded in Attachment A are in conformance with MTC's Regional Transportation Plan; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2012-13 funds under this resolution to Muni and/or AC Transit, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A.

RESOLVED, that all AB1107 allocations are subject to continued compliance with MTC Resolution 3866, the Transit Coordination Implementation Plan.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 27, 2012.

Date: June 27, 2012
Referred by: PAC

Attachment A
MTC Resolution No. 4063
Page 1 of 1

ALLOCATION OF AB 1107 FUNDS
DURING FISCAL YEAR 2012-13

All AB 1107 allocations are subject to continued compliance with MTC Resolution 3866,
the Transit Coordination Implementation Plan.

| Claimant | Project Description | Fare Ratio Percentage | | Allocation Amount | Alloc. Code | Approval Date |
|-----------------|----------------------------|------------------------------|-----------------|---|--------------------|----------------------|
| | | FY 11-12 | FY 12-13 | | | |
| AC Transit | Transit Operations | 51.5% | 48.2% | 50% of deposits to MTC's AB 1107 account. | 01 | 06/27/12 |

Date: June 27, 2012
Referred by: PAC

Attachment B
Resolution No. 4063
Page 1 of 1

ALLOCATION OF FISCAL YEAR 2012-13
AB 1107 FUNDS

FINDINGS

The following findings pertain to the allocation of funds under this resolution to the San Francisco Municipal Transportation Agency (SFMTA) and/or AC Transit, as the case may be.

| | <i>AC Transit</i> |
|---|-------------------|
| 1. In accordance with Public Utilities Code §29142.4(a), the operator is a participating member of the Bay Area Partnership, Partnership Transit Coordinating Committee, established by MTC and which serves the function of a regional transit coordinating council. | <i>YES</i> |
| 2. In accordance with Public Utilities Code §29142(c), the operator has complied with the transit system standards established by MTC pursuant to Government Code §66517.5. | <i>YES</i> |
| 3. In accordance with Public Utilities Code § 29142.5, MTC may consider local support revenues in excess of the operator's base amount as fare revenues, as long as by doing so it will enable the operator to maintain or improve vital transit service within a coordinated fare structure. The audited financials submitted by the claimant for FY 2010-11 and included in the proposed FY 2012-13 budget demonstrate a fare ratio of greater than 33 percent when considering other local excess revenue. | <i>YES</i> |