

**Metropolitan Transportation Commission
Programming and Allocations Committee**

January 9, 2013

Item Number 2d

Resolution No. 4070, Revised

Subject: Allocation of \$2 million in bridge toll funds to the Transbay Joint Powers Authority (TJPA) for the operation and maintenance of the Transbay Temporary Terminal for FY2012-13.

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 starting July 1, 2004, to Caltrans or to the TJPA (after Caltrans transfers the title of the Transbay Terminal Building to that entity) for operation and maintenance expenditures. Transfer of ownership of the Transbay Terminal Building from Caltrans to the 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.

Based on the rate of escalation, the FY2012-13 BATA budget includes roughly \$4 million for operation and maintenance of the Transbay Terminal, pursuant to Streets and Highways Code 30914 (b). The funds will be used for operating and maintaining the Transbay Temporary Terminal during construction of the new Transbay Transit Center.

The Commission approved the allocation of half of the annual amount available to TJPA and deferred the second \$2 million pending an updated FY2012-13 operating budget. Staff has received and reviewed the updated budget and now recommends allocating the \$2 million balance.

Issues: None

Recommendation: Refer MTC Resolution No. 4070, Revised to the Commission for approval.

Attachments: MTC Resolution No. 4070, Revised

Date: July 25, 2012
W.I.: 1254
Referred By: PAC
Revised: 01/23/13-C

ABSTRACT

Resolution No. 4070, Revised

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

This resolution was revised on January 23, 2013 to allocate the second half of funding to TJPA.

Additional discussion is contained in the Programming and Allocations Committee Summary sheets dated July 11, 2012 and January 9, 2013.

Date: July 25, 2012
W.I.: 1254
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. 4070

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

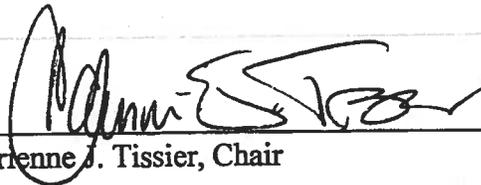
WHEREAS, pursuant to Streets and Highways Code 30914(b), MTC shall allocate toll bridge revenues in an annual amount not to exceed three million dollars (\$3,000,000) plus a 3.5-percent annual increase, to the department or to the Transbay Joint Powers Authority after the department transfers the title 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

A handwritten signature in black ink, appearing to read "Adrienne J. Tissier", is written over a horizontal line.

Adrienne J. 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 July 25, 2012

Date: July 25, 2012
WI: 1254
Referred by: PAC
Revised: 01/23/13-C

Attachment A
MTC Resolution No. 4070
Page 1 of 1

**ALLOCATION OF BRIDGE TOLLS
PURSUANT TO STREETS AND HIGHWAY CODE 30914 (b)**

Project Title: Transbay Terminal Building Operations and Maintenance
Sponsor: Transbay Joint Powers Authority

Activities to be funded with Allocations and conditions:

Eligible operating and maintenance expenditures. The TJPA Board approved the application package for FY 2012-13 funding on June 14, 2012.

Allocation Instruction No.	Approval Date	Amount	Reimbursement Year	Cumulative Total To Date
13407001	07/25/12	\$ 2,044,346	2012-13	\$ 2,044,346
13407002	01/23/13	\$ 2,044,346	2012-13	\$ 2,044,346