

Date: June 28, 2006  
Referred by: PAC  
Revised: 07/26/06-C 07/26/06-DA  
09/27/06-C 11/15/06-C  
12/13/06-PAC 02/28/07-C  
07/25/07-C

## ABSTRACT

### Resolution No. 3750, Revised

This resolution approves the allocation of fiscal year 2006-07 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution was revised on July 26, 2006 by Commission action to allocate additional funds to claimants in the MTC region and by Delegated Authority to rescind funds.

This resolution was revised on September 27, 2006 to allocate additional funds to claimants in the MTC region and to add findings pertaining to the Unmet Transit Needs process.

This resolution was revised on November 15, 2006 to allocate additional funds to claimants in the MTC region.

This resolution was revised on December 13, 2006 to modify a condition placed on an allocation.

This resolution was revised on February 28, 2007 to allocate additional funds to Santa Clara VTA.

This resolution was revised on July 25, 2007 to allocate additional funds to Santa Clara VTA.

Discussion of the allocations made under this resolution are contained in the MTC Operator Summaries and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 14, 2006, July 12, 2006, September 13, 2006, November 8, 2006, December 13, 2006, February 14, 2007 and July 11, 2007.

Date: June 28, 2006  
Referred by: PAC

Re: Allocation of Fiscal Year 2006-07 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3750

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 2006-07 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 2006-07 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

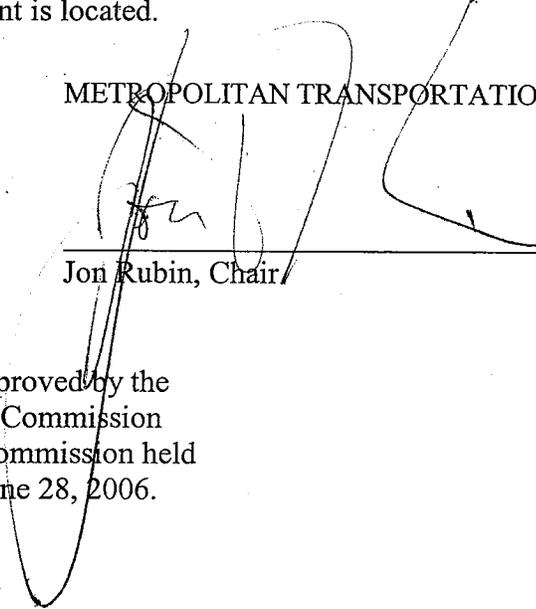
WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State 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 2006-07 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.

METROPOLITAN TRANSPORTATION COMMISSION

  
\_\_\_\_\_  
Jon Rubin, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 28, 2006.

Date: June 28, 2006  
 Referred by: PAC  
 Revised: 07/26/06-C  
 07/26/06-DA 09/27/06-C  
 11/15/06-C 12/13/06-PAC  
 02/28/07-C 7/25/07-C

Attachment A  
 MTC Resolution No. 3750, Revised  
 Page 1 of 2

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS  
 DURING FISCAL YEAR 2006-07

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area/Footnotes
<b>5801 - 99233.7, 99275 Comm Transit Serv- Operations</b>					
AC Transit	Community Transit	3,004,355	01	06/28/06	AC Transit Alameda
SamTrans	Community Transit	1,803,854	22	09/27/06	Sam Trans
	<b>Subtotal</b>	<b>3,004,355</b>			
<b>5802 - 99260A Transit - Operations</b>					
AC Transit	Transit Operations	38,022,606	02	06/28/06	AC Transit Alameda D1
AC Transit	Transit Operations	9,780,793	03	06/28/06	AC Transit Alameda D2
AC Transit	Transit Operations	5,998,440	04	06/28/06	AC Transit Contra Costa
County Connection	Transit Operations	16,352,875	05	06/28/06	CCCTA
Golden Gate	Transit Operations	10,544,577	06	06/28/06	Golden Gate
Golden Gate	Transit Operations	4,446,428	07	06/28/06	Sonoma County
NCTPA	Transit Operations	2,940,212	08	06/28/06	NCTPA
Sonoma County Transit	Transit Operations	6,027,236	09	06/28/06	Sonoma County Transit
Tri Delta Transit	Transit Operations	8,384,958	10	06/28/06	ECCTA
Union City	Transit Operations	1,620,829	11	06/28/06	Union City
WestCAT	Transit Operations	2,304,880	12	06/28/06	WCCTA
LAVTA	Transit Operations	7,287,247	16	07/26/06	LAVTA
Muni	Transit Operations	1,924,546	17	07/26/06	Muni (1)
Muni	Transit Operations	36,537,932	17	07/26/06	Muni
Vallejo	Transit Operations	4,528,525	18	07/26/06	Vallejo (2,3)
VTA	Transit Operations	71,050,737	19	07/26/06	VTA
VTA	Transit Operations	3,739,512	19	07/26/06	VTA (1)
VTA	Transit Operations	1,464,916	19	02/28/07	VTA
Golden Gate	Transit Operations	(210,892)	06	07/26/06	Golden Gate
SamTrans	Transit Operations	33,109,986	23	09/27/06	SamTrans
Fairfield	Transit Operations	2,550,164	24	11/15/06	Fairfield
Santa Rosa	Transit Operations	5,761,855	25	11/15/06	Santa Rosa
VTA	Transit Operations	4,806,213	19	07/25/07	VTA
	<b>Subtotal</b>	<b>278,974,575</b>			

**5803 - 99260A Transit - Capital**

NCTPA	Vehicle Replacement	2,155,000	13	06/28/06	NCTPA
Petaluma	Vehicle Repl & Misc.	1,346,000	20	07/26/06	Petaluma
	<b>Subtotal</b>	<b>3,501,000</b>			

**5807 - 99400C General Public - Operating**

NCTPA	Transit Operations	1,633,298	14	06/28/06	NCTPA
Vacaville	Transit Operations	2,181,443	15	06/28/06	Vacaville
Petaluma	Transit Operations	1,213,608	21	07/26/06	Petaluma
	<b>Subtotal</b>	<b>5,028,349</b>			

**TOTAL 290,508,279**

**Footnotes:**

- (1) MTC finds that these Article 4.5 funds can be used to better advantage for Article 4 purposes.
- (2) Disbursement is limited to one-half of the total allocation (\$2,313,120) pending submittal of the cost-allocation plan.
- (3) Condition noted in Footnote 2 is revised on 12/13/06 to allow disbursement of up to 2/3rds of the total allocation (\$3,019,016) pending submittal of the cost-allocation plan.

Date: June 28, 2006  
Referred by: PAC  
Revised: 09/27/06-C

Attachment B  
Resolution No. 3750  
Page 1 of 4

ALLOCATION OF FISCAL YEAR 2006-07  
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. 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.
5. That for purposes of reviewing each claim for TDA Article 8 streets and roads purposes, MTC has, pursuant to Public Utilities Code § 99401.5(c), adopted a definition of "unmet transit needs" and "unmet transit needs that are reasonable to meet" and procedures and criteria for making findings of unmet transit needs that are reasonable to meet (MTC Resolution No. 2380, Revised); and
6. That the County of Solano, through the countywide coordination activities of the Solano Transportation Authority, in conjunction with the cities within Solano County and the county's Paratransit Coordinating Council, has responded to identified unmet transit needs and developed programs to address those needs, and has made available to MTC,

Solano County's long-term transportation plan and other documentation to provide a basis for revising appropriate portions of MTC's Regional Transportation Plan.

7. That in accordance with Public Utilities Code § 99401.5(d), MTC has determined that there are no unmet transit needs which are reasonable to meet within the jurisdiction of the County of Solano.