Date: June 27, 2007
Referred by: PAC
Revised: 07/25/07-C

ABSTRACT

Resolution No. 3810, Revised

This resolution approves the allocation of fiscal year 2007-08 Transportation Development Act Article 4, Article 4.5 and Article 8 funds to claimants in the MTC region.

This resolution was revised on July 25, 2007 to allocate funds to various claimants in the region.

Discussion of the allocations made under this resolution are contained in the MTC Operator Summary and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 13, 2007 and July 11, 2007.

Date: June 27, 2007
Referred by: PAC

Re: Allocation of Fiscal Year 2007-08 Transportation Development Act Article 4, Article 4.5 and Article 8 Funds to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3810

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 2007-08 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 2007-08 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 2007-08 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

Bill Dodd, 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, 2007.

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Attachment A
MTC Resolution No. 3810

ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4, 4.5 and 8 FUNDS
DURING FISCAL YEAR 2007-08

Claimant	Project Description	Allocation Amount	Alloc. Code	Approval Date	Apportionment Area/Footnotes
5801 - 99233.7, 99275 Comm Transit Serv- Operations					
AC Transit	Transit Operations	2,973,829	01	06/27/07	Alameda County
	Subtotal	**2,973,829**			
5802 - 99260A Transit - Operations					
County Connection	Transit Operations	12,574,668	02	06/27/07	CCCTA
WestCAT	Transit Operations	2,513,436	03	06/27/07	WCCTA
NCTPA	Transit Operations	2,719,850	04	06/27/07	NCTPA
Sonoma County Transit	Transit Operations	7,106,314	05	06/27/07	Sonoma County Transit
Tri Delta Transit	Transit Operations	9,694,556	06	06/27/07	ECCTA
AC Transit	Transit Operations	40,442,964	07	06/27/07	AC Transit D.1 - Alameda
AC Transit	Transit Operations	10,383,203	08	06/27/07	AC Transit D. 2 - Alameda
AC Transit	Transit Operations	5,907,570	09	06/27/07	AC Transit - Contra Costa
Golden Gate	Transit Operations	10,333,685	10	06/27/07	Golden Gate - Marin
Golden Gate	Transit Operations	5,007,113	11	06/27/07	Golden Gate - Sonoma
Benicia	Transit Operations	1,005,935	15	07/25/07	Benicia
LAVTA	Transit Operations	7,871,109	16	07/25/07	LAVTA
Union City	Transit Operations	1,571,262	17	07/25/07	Union City
Santa Rosa	Transit Operations	6,830,088	18	07/25/07	Santa Rosa
SFMTA	Transit Operations	1,753,055	19	07/25/07	San Francisco (1)
SFMTA	Transit Operations	33,307,723	19	07/25/07	San Francisco
VTA	Transit Operations	55,231,888	20	07/25/07	Santa Clara
VTA	Transit Operations	4,489,623	20	07/25/07	Santa Clara (1)
	Subtotal	**218,744,042**			
5803 - 99260A Transit - Capital					
Santa Rosa	Vehicles, Parts & Maint.	4,057,500	21	07/25/07	Santa Rosa
VTA	Passenger Facilities	5,297,826	22	07/25/07	VTA
VTA	Customer Info., Caltrain Capital, Contingency	5,317,650	23	07/25/07	VTA
VTA	Information Systems & Technology	5,380,781	24	07/25/07	VTA
VTA	Operations Facilities & Equipment	6,379,749	25	07/25/07	VTA
	Subtotal	**26,433,506**			
5807 - 99400C General Public - Operating					
NCTPA	Transit Operations	1,450,643	12	06/27/07	NCTPA
Vacaville	Transit Operations	1,168,812	13	06/27/07	Vacaville
Petaluma	Transit Operations	1,386,590	14	06/27/07	Petaluma
	Subtotal	**4,006,045**			
	TOTAL	**252,157,422**			

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

ALLOCATION OF FISCAL YEAR 2007-08
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.

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.