

Date: November 28, 2007
W.I.: 1255
Referred by: PAC

ABSTRACT

MTC Resolution No. 3828

This resolution approves the allocation of Regional Measure 2 funds for the Oakland Airport Connector project sponsored and implemented by the Bay Area Rapid Transit District (BART).

This resolution includes the following attachments:

- Attachment A - Allocation Summary Sheet for RM2 funds
- Attachment B - Project Specific Conditions for Allocation Approval
- Attachment C - MTC staff's review of BART's Initial Project Report (IPR) for this project
- Attachment D - RM2 Complementary Funding Plan for RM2 Allocated Funds
- Attachment E - Synopsis of Terms for Funding Agreement

Additional discussion of this allocation is contained in the MTC Programming and Allocations Committee Executive Director memo dated November 14, 2007.

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Re: Approval of Allocation of Regional Measure 2 funds for the Oakland Airport Connector Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3828

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 an \$1.00 toll increase for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area to fund a specific list of capital projects and programs and transit operating assistance within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in Streets and Highways Code Sections 30914(c) & (d), commonly referred as Regional Measure 2 (“RM 2”); and

WHEREAS, the administrative duties and responsibilities for the implementation of the RM 2 funds has been assigned to MTC; and

WHEREAS, BATA shall fund the projects of the RM 2 Program by transferring authorized funds to MTC; and

WHEREAS, the Bay Area Rapid Transit District (BART) Oakland Airport Connector project is eligible to receive RM 2 funding as identified in California Streets and Highways Code Sections 30914(c)(23); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM 2 funding (MTC Resolution No. 3636, Revised as amended); and

WHEREAS, BART has submitted an Initial Project Report for the project, as required pursuant to Streets and Highway Code Section 30914(e), for the allocation of RM 2 funds to MTC for review and approval; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the BART is requesting RM 2 funding for the project and the amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, conditions the allocation and disbursement of RM2 funds on the execution of a funding agreement between MTC and BART; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff's review of BART's Initial Project Report (IPR) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists anticipated contributing funding sources for the deliverable/useable RM 2 project segment; now, therefore be it

RESOLVED, that MTC approves the allocation and disbursement of RM 2 funds in accordance with the amount and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

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

RESOLVED, that the allocation and disbursement of RM 2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that MTC approves MTC staff's review of BART's Initial Project Report (IPR) for this project as set forth in Attachment C; and be it further

RESOLVED, that the allocation and disbursement of RM 2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any contributing fund sources as set forth in Attachment D; and be it further

RESOLVED, that the Executive Director or his designee is authorized to negotiate and enter into a funding agreement with BART that includes the provisions contained in Attachment E; and be it further

RESOLVED, that a certified copy of this resolution, shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on November 28, 2007.