

Date: December 20, 2023
W.I.: 1255
Referred by: PAC
Revised: 01/24/24-C

ABSTRACT

Resolution No. 4626

This resolution approves the allocation of the Regional Measure 3 operating funds for FY 2023-24.

This resolution allocates funds to the Water Emergency Transportation Authority (WETA).

Attachment A was revised on January 24, 2024 to allocate funds to the Transbay Joint Powers Authority.

Discussion of the allocations made under this resolution are contained in the MTC Programming and Allocations Committee Summary Sheet dated December 13, 2023 and January 10, 2024.

Date: December 20, 2023
W.I.: 1255
Referred by: PAC

Re: Allocation of Regional Measure 3 Operating Program funds for FY 2023-24

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4626

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 June 5, 2018, a special election was held in the City and County of San Francisco, and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (individually, each a "County" and, collectively, the "Counties") to approve a toll increase of three dollars (\$3.00) phased in over time, including a one dollar (\$1.00) toll increase on January 1, 2019, a one dollar (\$1.00) toll increase on January 1, 2022, and a one dollar (\$1.00) toll increase on January 1, 2025, for vehicles traveling on the state-owned bridges located in the San Francisco Bay Area ("Regional Measure 3"); and

WHEREAS, on September 26, 2018, the Bay Area Toll Authority ("Authority") adopted Resolution No. 126 accepting certified statements from the Registrar of Voters of the City and County of San Francisco and each of the Counties and observing that a majority of all voters voting on Regional Measure 3 ("RM3") at such special election voted affirmatively for RM3; and

WHEREAS, on December 19, 2018, the Authority adopted Resolution No. 128 adopting a toll schedule phasing in the toll increase approved pursuant to RM3, effective on January 1, 2019; and

WHEREAS, RM3 establishes the RM 3 Expenditure Plan and identifies specific capital projects and operating programs eligible for RM3 funding as identified in Sections 30914.7(a) and (c) of the California Streets and Highways Code; and.

WHEREAS, RM3 assigns administrative duties and responsibilities for the implementation of the Regional Measure 3 Expenditure Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Measure 3 Expenditure Plan by bonding or transfers RM3 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the RM3 Expenditure Plan on December 18, 2019, specifying the allocation criteria and project compliance requirements for RM3 funding (MTC Resolution No. 4404, Revised); and

WHEREAS, MTC has reviewed the allocation requests submitted for RM3 Operating Program 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 RM3 funds are required to submit an Operating Assistance Proposal (OAP), pursuant to Section 30914.7(c) of the California Streets and Highways Code 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 RM3 funding, project specific conditions, and amounts recommended for RM3 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 RM3 funds in accordance with Attachment A; and be it further

RESOLVED, that the allocation and reimbursement of RM3 funds as set forth in Attachment A are conditioned upon the project sponsor complying with the provisions of the RM3 Expenditure Plan Policies and Procedures as set for in length in MTC Resolution 4404, Revised; and be it further

RESOLVED, that the allocation and reimbursement of RM3 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 sponsors.

METROPOLITAN TRANSPORTATION COMMISSION

Alfredo Pedroza, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in San Francisco, California and at other remote locations, on December 20, 2023.

FY 2023-24 ALLOCATION OF REGIONAL MEASURE 3 FUNDS
FOR OPERATING PROGRAM

1. Funding for each route is limited to the amount identified in the FY2023-24 RM3 Operating Program (MTC Resolution 4625).
2. Allocation amounts may be reduced in order to stay within the statutorily mandated RM3 operating program limit of 16% of annual revenue [SHC Section 30914.7(c)].
3. Payment of RM3 operating funds may be limited to no more than 1/12 of the allocated amount monthly.
4. Reimbursement is contingent upon execution of the RM3 Operating Agreement between MTC and individual project sponsors, which will take the form of the Master Funding Agreement and RM3 Program Supplement.

Claimant	Project Description	Allocation Amount	Allocation Code	Approval Date	Project Number
WETA	Ferry Service	\$ 8,700,450	01	12/20/23	3
TJPA	Transbay Terminal	\$ 2,990,080	02	01/24/24	1
		Total \$ 11,690,530			