

THIS PRINT COVERS CALENDAR ITEM NO. : 10.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Finance and Information Technology

BRIEF DESCRIPTION:

Resolution authorizing the Director of Transportation, or his designee, to execute and file a claim with the Metropolitan Transportation Commission (MTC) for allocation of operating assistance from Transportation Development Act (TDA), State Transit Assistance (STA), AB1107 One-Half Cent Sales Tax (AB1107), and Regional Measure 2 (RM2) funds for Fiscal Year 2013 to the support the operating budget.

SUMMARY:

- The San Francisco Municipal Transportation Agency (SFMTA) files annually a claim for operating assistance with MTC in accordance with the rules and regulations established by the transportation planning agency pursuant to Public Utilities Code Section 99261.
- SFMTA is required to submit a resolution authorizing the Director of Transportation, or his designee, to execute and file a claim for allocation of TDA, STA, AB1107, and RM2 operating assistance, together with all necessary supporting documents with the MTC for an allocation of TDA, STA, AB1107, and RM2 funds in Fiscal Year 2013.
- Annually, the SFMTA gets operating assistance from TDA, STA, AB1107 and RM2 funds administered by MTC.
- The FY 2013 Budget approved by the Board included TDA, STA, AB1107 and RM2 funds. The amount will be finalized once the MTC confirms the availability of the funds pending approval of the State budget.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DATE

DIRECTOR _____ 5/7/12

SECRETARY _____ 5/7/12

ASSIGNED SFMTAB CALENDAR DATE: May 15, 2012

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PURPOSE

In order to receive payment from MTC, the SFMTA must submit a resolution authorizing the Director of Transportation, or his designee, to execute and file a claim for allocations of TDA, STA, AB 1107 and RM2 funds in Fiscal Year 2013.

GOAL

The SFMTA will further the following goal of the Strategic Plan through acceptance of these funds:

Goal 3 - Improve the environment and quality of life in San Francisco.

Objective 3.3: Allocate capital resources effectively.

Objective 3.5: Reduce capital and operating structural deficits.

DESCRIPTION

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. Prospective applicants wishing to receive an allocation from the Local Transportation Fund for any transit-related purposes must file an annual claim with MTC.

Apportionment of the TDA fund is based on an estimate of sales tax generation for the claim year prepared by MTC and San Francisco County Auditors. STA revenue-based operating assistance comes from a State sales tax on fuel, and STA-population-based (paratransit) assistance is computed according to a formula based on the population of the area, which may be adjusted during the governor's annual budget process. AB1107 one-half cent sales tax is based on MTC estimates of sales tax growth generations. RM2 funds are dispensed based on the agency's request for operating allocations, subject to meeting eligibility requirements and availability of RM2 operating funds.

The exact amounts available to the SFMTA for FY 2013 are pending approval of the State budget.

ALTERNATIVES CONSIDERED

If this claim is not submitted to the MTC, the SFMTA will not be able to receive TDA, STA, AB1107 and RM2 funds for FY 2013. If these funds are not available, alternative funding sources will need to be identified and/or services reduced or eliminated. The Board discussed these alternatives during the FY 2013 and FY 2014 budget deliberations.

FUNDING IMPACT

The following amounts are projected by MTC:

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	FY 2012 MTC Allocation
TDA funding	\$ 31,400,000
State Transit Assistance – Revenue Based	31,324,248
AB 1107 funding	29,150,000
RM2 operating assistance & Owl Service funding	2,687,501
Total Request	\$ 94,561,749

The exact amounts available to the SFMTA for FY 2013 are pending approval of the State budget.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney's Office has reviewed this calendar item.

RECOMMENDATION

Staff recommends that the Board authorize the Director of Transportation, or his designee, to execute and file with MTC the claim, together with all necessary supporting documents, for an allocation of TDA, STA, AB1107 and RM2 funds for Fiscal Year 2013.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Transportation Development Act (TDA) (Public Utilities Code §§99200 *et seq.*), provides for the disbursement of funds from the Local Transportation Fund (LTF) of the City and County of San Francisco for use by eligible applicants for the purpose of approved transit projects; and

WHEREAS, Pursuant to the provision of the TDA, and pursuant to the applicable rules and regulations hereunder (21 Cal. Code of Regs. §§6600 *et seq.*), a prospective applicant wishing to receive an allocation from the LTF shall file its claim with the Metropolitan Transportation Commission (MTC); and

WHEREAS, The State Transit Assistance (STA) fund is created pursuant to Public Utilities Code §§99310 *et seq.*; and

WHEREAS, The STA fund makes funds available pursuant to Public Utilities Code Section 99313.6 for allocation to eligible applicants to support approved transit projects; and

WHEREAS, TDA funds from the LTF of the City and County of San Francisco and STA funds will be required by the San Francisco Municipal Transportation Agency (SFMTA) in Fiscal Year 2013 for approved transit projects; and

WHEREAS, Public Utilities Code Sections 29140, *et seq.*, make available 25 percent of the half-cent sales tax revenues collected in the three BART counties (Alameda, Contra Costa, and San Francisco) for allocation by MTC to eligible applicants; and

WHEREAS, Pursuant to the provision of Public Utilities Code Section 29142.2, eligible applicants for AB1107 funds include Alameda-Contra Costa Transit District, the Bay Area Rapid Transit District, and the City and County of San Francisco for the SFMTA; and

WHEREAS, Regional Measure 2 (RM2) establishes the Regional Traffic Relief Plan and identifies specific capital projects and programs eligible to receive RM2 funding, including operating assistance, as identified in Section 30914 (c) and (d) and Section 30914.5 of the California Streets and Highway Code; and

WHEREAS, MTC has determined that the SFMTA complies with the requirements of Public Utilities Code Section 29142.5 and Government Code Section 66517.5; and

WHEREAS, The SFMTA is an eligible applicant for TDA, STA, AB 1107, and RM2 funds as attested by the opinion of counsel dated April 26, 2012; now, therefore, be it

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RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation, or his designee, to execute and file a claim for allocation of operating assistance from Transportation Development Act, State Transit Assistance, AB1107 One-Half Cent Sales Tax, and Regional Measure 2 funds for Fiscal Year 2013 to the support the operating budget: and, and, be it

FURTHER RESOLVED, That a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the claim, and MTC is requested to grant the allocations of the funds as specified herein.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 15, 2012.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency