



**BOARD OF DIRECTORS
JUNE 24, 2011**

**AGENDA ITEM NO. 11-06-4
ACTION REQUESTED - ADOPT**

**FY 2012 CLAIMS FOR TRANSPORTATION DEVELOPMENT
ACT AND STATE TRANSIT ASSISTANCE**

File Number 1500300

Introduction

The Transportation Development Act (TDA) provides one-quarter percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. SANDAG, as the designated Regional Transportation Planning Agency (RTPA), is responsible for the allocation of TDA funds to the region's cities, the County, and transit operators.

Recommendation

The Transportation Committee recommends that the Board of Directors adopt Resolution Nos. 2011-20 to 2011-24, in substantially the same form as included in Attachment 3, approving FY 2012 claims; and adopt the State Transit Assistance Act findings as certified by the North County Transit District.

At its February 25, 2011, meeting, the Board of Directors approved the San Diego County Auditor's estimate of \$109,452,344 for the region's FY 2012 TDA apportionment. This report presents the TDA claim requests under the various articles of the statute. Additionally North County Transit District (NCTD) submitted a claim under the State Transit Assistance (STA) program.

TDA allocations are authorized under four separate articles of the law. Article 3 funds are designated for bicycle and pedestrian projects. Article 4 funds are used to provide general public transit services. Article 4.5 funds are designated for community transit services, and pursuant to SANDAG Board Policy No. 027 are allocated within the San Diego region to support paratransit services required by the Americans with Disabilities Act (ADA). Article 8 funds support specialized services such as express bus and ferry services. Claims under each category are discussed below. A summary of the FY 2012 claims by the different articles and Planning and Administration is shown in Attachment 1. Typically, this report would include the claims for the non-motorized TDA program, which could be processed along with the *TransNet* Bicycle Pedestrian and Neighborhood Safety (BPNS) program. Consistent with the Board of Directors action on April 22, 2011, approving the funding of the initial implementation of regional bicycle projects, the competitive call for local BPNS projects is expected to start shortly with allocations to be considered by the Transportation Committee and the Board later this summer/fall. As a result, the FY 2012 non-motorized TDA claims along with the *TransNet* BPNS allocations are not included with this report.

Discussion

Article 3: Non-motorized Claims (Bicycle and Pedestrian)

For FY 2012, \$2,115,241 in TDA Bicycle and Pedestrian funds are available for non-motorized projects (excluding prior year carryover). This amount will be held in reserve.

Recommendations for Productivity Improvements of Operators

Pursuant to California Public Utilities Code (PUC) Section 99244, an operator can be allocated no more in the upcoming fiscal year (FY 2012) than it was allocated in the current fiscal year (FY 2011) unless SANDAG determines that the operator made a reasonable effort to implement the productivity improvement recommendations adopted by the Board of Directors for the current fiscal year (FY 2011). At its May 27, 2011, meeting, the Board of Directors made a determination that both the Metropolitan Transit System (MTS) and NCTD made a reasonable effort to implement the productivity improvements outlined for FY 2011 and approved continuation of the program for FY 2012, thus fulfilling the requirements under this provision.

Transit Claims

Article 4 General Public (Fixed Transit Route)

The Article 4 claims of MTS and NCTD comprise the largest portion of the TDA claim. These funds provide support for rail and bus fixed route and also help augment paratransit services. The combined MTS and NCTD Article 4 claims total \$97,920,695 and include transfers to SANDAG for capital, planning, and administrative purposes.

MTS Service Area (\$69,316,401)

The total MTS Article 4.0 claim for operators in its service area includes \$59,464,416 in operating support for rail, fixed route bus, and paratransit services, and \$6,311,991 in capital support. Added to these amounts are fund transfers to SANDAG for local match to federally funded projects that SANDAG will implement on behalf of MTS (\$1,497,729) and for administrative and planning purposes (\$2,042,265).

MTS estimates that its area operators (San Diego Trolley, Inc., San Diego Transit Corporation, and MTS Contract Services) would provide the same level of services with a slight increase in ridership. MTS is projected to carry approximately 86.1 million passengers over 24.5 million annual miles in FY 2012, a 2.5 percent increase in passengers, while revenue miles would remain virtually the same from FY 2011 estimates (84.0 million passengers over 24.5 million miles).

The MTS overall budget for fixed route and rail services reflects a 0.4 percent increase in cost (from FY 2011 estimates).

NCTD Service Area (\$28,604,294)

The total NCTD Article 4.0 claim includes \$26,822,743 in operating support for bus and rail services; and \$1,302,429 in capital support. Added to these amounts are fund transfers to SANDAG for administrative and planning purposes (\$479,122).

The fixed route and rail services are projected to carry approximately 11.5 million passengers over 6.0 million revenue miles, both an increase from estimated FY 2011 figures (3.1 percent and 0.5 percent, respectively).

The NCTD overall operating budget reflects an increase of 6 percent from estimated FY 2011 expenditures. NCTD plans to increase its service for both its fixed route and two rail systems (COASTER and SPRINTER). Also, there are projected increases in fuel and contracted services.

Article 4.5 Community Transit Service (Accessible Service for the Disabled)

Article 4.5 funds are allocated in the San Diego region to support demand response transit services required by the ADA. SANDAG Board Policy No. 027 requires that after allocating 2 percent of these funds to the Consolidated Transportation Service Agency (CTSA), funds be distributed between the two transit agencies in the region based upon service area population. ADA operations for MTS and NCTD also are supported by 2.5 percent of the annual transit revenues in the *TransNet* program.

MTS Service Area (\$3,604,844)

This claim provides operating support for the accessible paratransit services in the MTS service area, including Access and ADA Suburban services. Other operating support comes from passenger fares and the *TransNet* program. Since ADA-mandated complementary paratransit service is limited to those who cannot use regular fixed-route service, customers must be certified as eligible users of this service. The ridership for this service is expected to increase by 3 percent to 374,767 (363,852 for FY 2011), while miles would remain virtually the same at 3.1 million miles from the FY 2011 estimates.

NCTD Service Area (\$1,476,054)

The entire claim is for operating support. NCTD anticipates carrying 120,000 passengers on 1.2 million revenue miles, which would be virtually no change to passengers but would reflect a slight increase (3.0 percent) in revenue miles from FY 2011 estimates.

CTSA (\$108,703)

CTSA is eligible for up to 2 percent of the region's Article 4.5 funds. In addition to the FY 2012 share, CTSA is claiming all prior year carryover. The CTSA, created by state law, allows for the formation of a regional agency to coordinate social service agency transportation programs. In the San Diego region, FACT (Full Access for Coordinated Transportation) serves as the CTSA. The FACT mission is to expand the availability and economic utilization of specialized transportation services for seniors and disabled individuals. In its capacity as the CTSA, FACT serves as a conduit of information and assists the nonprofit sector with the coordination of specialized transportation programs and improving the management of these programs by providing free training and technical assistance.

State law allows for the formation of CTSA to improve transportation service required by social service recipients by promoting consolidation of social service transportation incorporating such benefits as centralized dispatching, combined purchasing of necessary equipment and supplies, centralized maintenance, centralized administration to eliminate duplicative administrative tasks, and consolidation of existing sources of funding. This consolidation results in more efficient and effective use of vehicles throughout the region. The FY 2012 FACT CTSA Work Plan is included in Attachment 2.

Article 8 - Special Provisions (Express Bus, Ferry)

MTS (\$541,511)

This claim provides operating support for express bus (\$384,408) and ferry services (\$157,103). Premium express commuter service includes Interstate 15 to downtown San Diego from the Cities of Poway and Escondido and from the communities of Rancho Bernardo/Carmel Mountain Ranch and

Rancho Peñasquitos (Routes 810, 820, 850, and 860); and Mira Mesa and Sorrento Valley from the communities of 4S Ranch and Rancho Bernardo (Route 880). Ridership is projected at 294,742 passengers over 304,577 annual miles in FY 2012, an increase of 2.5 percent and 1 percent from FY 2011 levels (287,553 and 301,354, respectively). The City of Coronado operates passenger ferry service by subsidizing trips to and from downtown San Diego to Coronado and North Island.

Administration and Planning

SANDAG (\$3,645,307)

TDA law (PUC 99233.2) also allows SANDAG, as the RTPA, to claim up to 3 percent of the annual apportionment to conduct regional transportation planning (\$3,270,990). The FY 2012 Program Budget (approved by the Board of Directors on May 27, 2011) includes the work elements that this funding would implement. Additionally, a claim of \$374,317 will be made for the administration of the TDA program (PUC 99233.1).

County of San Diego Auditor Office (\$45,000)

TDA law (PUC 99233.1) allows the County Auditor to charge for costs related to the administration of the TDA program. The County Auditor is claiming \$45,000 in FY 2012.

NCTD STA Claim (\$4,919,122)

The FY 2012 allocation was made available by the State Controller's Office in a letter dated January 19, 2011. NCTD plans to use the entire amount available for operations. State law requires that operators meet certain qualifying criteria (to determine service efficiency) to use STA funds for operations; however, the state budget legislation suspended this requirement from January 1, 2010, through FY 2012. As a result, SANDAG did not calculate the operations qualifications for NCTD and MTS. NCTD also is required to affirm certain findings under the STA statute. Attachment 4 provides the certified findings. The SANDAG area, as defined under the STA program, consists of the area outside of the MTS area of jurisdiction. NCTD is the only claimant of STA funds in the SANDAG area.

GARY L. GALLEGOS
Executive Director

- Attachments:
1. Transportation Development Act (TDA) FY 2012 Claims Summary
 2. Highlights of the FY 2012 CTSA Work Plan
 3. Resolution Nos. 2011-20 to 2011-24
 4. NCTD STA Findings

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**TRANSPORTATION DEVELOPMENT ACT (TDA)
FY 2012 CLAIMS SUMMARY**

	Metropolitan Transit System	North County Transit District	SANDAG	CTSA	Bicycle and Pedestrian ¹	County Auditor	Total
FY 2012 Apportionment	\$73,462,756	\$30,080,348	\$3,645,307	\$103,692	\$2,115,241	\$45,000	\$109,452,344
Prior Year Carryover	-	-	3,468,517	5,011	1,964,915	-	5,438,443
Total Available to Claim	73,462,756	30,080,348	7,113,824	108,703	4,080,156	45,000	114,890,787
<u>FY 2012 Claims</u>							
Article 3 - Non-Motorized (bicycle and pedestrian)	-	-	-	-	-	-	-
Article 4 - General Public Transit	-	-	-	-	-	-	-
Operations	(59,464,416)	(26,822,743)	-	-	-	-	(86,287,159)
Capital	(6,311,991)	(1,302,429)	-	-	-	-	(7,614,420)
Planning/Capital Transfer to SANDAG ²	(1,497,729)	-	-	-	-	-	(1,497,729)
Administrative/Planning Transfer to SANDAG	(2,042,265)	(479,122)	-	-	-	-	(2,521,387)
Subtotal Article 4	(69,316,401)	(28,604,294)	-	-	-	-	(97,920,695)
Article 4.5 - Community Transit Service (accessible service for the disabled)	(3,604,844)	(1,476,054)	-	(108,703)	-	-	(5,189,601)
Article 8 - Special Provisions							
Express bus	(384,408)	-	-	-	-	-	(384,408)
Ferry service	(157,103)	-	-	-	-	-	(157,103)
Subtotal Article 8	(541,511)	-	-	-	-	-	(541,511)
Planning/Administration							
Administration	-	-	(374,317)	-	-	(45,000)	(419,317)
SANDAG Regional Planning	-	-	(3,270,990)	-	-	-	(3,270,990)
Subtotal Planning/Administration	-	-	(3,645,307)	-	-	(45,000)	(3,690,307)
Balance	\$ -	\$ -	\$ 3,468,517	\$ -	\$ 4,080,156	\$ -	\$ 7,548,673

¹The TC/Board received a report in April 2011 that outlines the long-term plan for the Regional Bicycle Plan as well as short-term funding. Due to the timing of the Call for Projects process; this amount will be held in reserve until the Board takes action to approve the projects.

²The match to FTA grants implemented on behalf of MTS is \$176,318 for planning projects and \$1,321,411 for capital projects.

**Full Access & Coordinated Transportation, Inc. (FACT)
The Consolidated Transportation Service Agency (CTSA) for San Diego County**

Work Plan for FY 2011 – 2012

As defined in the Social Services Transportation Improvement Act (AB 120), the CTSA is a public entity responsible for improving transportation services required by social service recipients by promoting the consolidation and coordination of social service transportation services. The scope of CTSA activities include being the regional broker of social service transportation information, centralized administration and dispatching, identification and consolidation of funding sources, coordinated and consolidated training programs and combined purchasing of vehicles, supplies and equipment. The CTSA works to create dedicated transportation services for people with disabilities, senior citizens, social service agencies, health care providers, various organizations and individuals within that particular service area. The CTSA is also the planning representative of the social service transportation community and works with the region to develop updates to the Coordinated Plan. The CTSA has recently updated the Business Plan (2012-2017 Business Plan Update) that forms the planning foundation for organizational development and the expansion of coordinated services in the region, which is available at www.factsd.org.

Areas of Focus

Stride and FACT Website

- Utilizing funds from the New Freedom program:
 - Update content of the STRIDE web site to ensure accurate data entry
 - Add agencies to STRIDE that are identified
 - Update agency information on the STRIDE website
 - Upgrade and update the FACT website as a marketing tool that also promotes STRIDE
 - Create consistency between the websites to promote understanding of FACT being the CTSA
 - Enhanced outreach to update STRIDE data
- Respond to all requests from the public for information on transportation for seniors, people with disabilities and other transportation disadvantaged individuals utilizing the STRIDE website and other available resources.
- Provide customized referrals and enhanced in-person customer service where necessary.

Council on Access and Mobility (CAM)

- Conduct Council on Access and Mobility (CAM) meetings bimonthly.
- Coordinate training and workshop opportunities for human service transportation providers in such areas as federal and state funding requirements (e.g. 5310), driver training, vehicle inspection, insurance, Regional Emergency Preparedness Requirements, State and Federal regulations, safety, funding opportunities, coordination, vehicle acquisition and other CTSA related topics, quarterly.
- Initiate coordinated programs in areas of training (e.g. insurance, maintenance, vehicle inspections) that are pertinent based on interest / commitments of involvement from CAM members.
- Represent CAM during level three or higher emergencies in the Emergency Operations Center and coordinate disaster response as needed.
- Coordinate information provision and involvement of CAM members with the County EOC to ensure effective preparedness planning and to compliance with new State and Federal requirements.

CTSA

- Work with SANDAG and the community to develop the locally developed Public Transit and Human Services Transportation Coordinated Plan.
- Provide ongoing technical assistance and support to human service transportation providers and all other interested parties to find solutions to overcome identified barriers to coordination, consolidation and collaboration.
- Coordinate and conduct surveys, and assessments, both formal and informal, to determine stakeholder transportation needs, vehicle and other relevant resources and barriers to coordination.
- Provide education and technical assistance to community organizations for Federal, State and Local funding opportunities.

**Full Access & Coordinated Transportation, Inc. (FACT)
The Consolidated Transportation Service Agency (CTSA) for San Diego County**

Work Plan for FY 2011 – 2012

- Maintain library of best practices and other documents related to coordination and consolidation of human service transportation.
- Disseminate quarterly CTSA FACT Newsletter to ensure ongoing awareness of current related events
- Participate in Triennial Federal Transit Administration and Transportation Development Act (TDA) Audits.
- Make presentations to stakeholder groups.
- Evaluate coordinated programs for pilot projects leading to regional deployment.

Coordination and Consolidation (New Freedom 2007 and 2008 and 2010 Implementation)

- Annually update the business plan for FACT covering the following areas: governance, integration of current CTSA work activities, technical assistance and coordination planning, information and marketing initiatives, service contracting and operations programs, policy development and advocacy, trip demand estimation and utilization projections, funding and financial projections.
 - Allow SANDAG to comment on the Annual Update prior to approving and adopting
- The Business Plan Update is the Operational Road Map for FACT's implementation of NF 2007, 2008, 2010 and Senior Mini-Grant Programs and will be maintained through the Annual Update cycle
- Develop a coordinated system of transportation service options for the disability community
 - Implement a regional mobility management center for transportation information and ride scheduling
 - Serve as liaison between public transportation providers and human service agencies
- Build a base of cooperation and coordination between constituencies, including public transportation providers, human service agencies, and other community-based organizations and agencies
 - Provide technical assistance, information, and education programs to transportation providers
 - Develop a regional training program for human service agencies and clients and consumers in partnership with public transit operators
- Expand FACT's staff capacity to support coordination transportation programs
 - Potentially, recruit, up to (3) new positions: financial support, technical/planning support and marketing/outreach support. Hire up to eight (8) contractors to conduct business plan project updates, operations/contract support, IT support, financial consultant, grant writing services, marketing, governmental liaison, training and ride scheduling
 - Maintain the FACT Board Technical Advisory Committee (TAC), which currently includes Dan Levy (SANDAG), Scott Transue (NCTD), Floyd Willis (County of San Diego AIS), Brent Boyd (MTS) and Mac McGee (ACT).
- Market Regional Mobility Management Center through press releases, pamphlets, brochures, e-mail, newsletters, special informational pieces, newspaper articles, special events, workshops, and community training sessions
- Participate in regional disaster preparedness planning
- Present a regional Mobility Forum
- Implement MedRIDE and MedAccessRIDE services as per Business Plan Update

Administration

- Coordinate Annual Strategic Business Planning for FACT/CTSA
- Maintain an inventory of resources in San Diego County
- Maintain the CTSA Mailing List
- Complete all required reports
- Maintain memberships in State and National organizations committed to coordinated transportation and nonprofit corporation development:
 - Community Transportation Association of America (CTAA)
 - California Association for Coordinated Transportation (Cal-Act)
 - Non Profit Management Solutions (NPMS)

All TDA 4.5 funding for the fiscal year 2011 will be used as matching funds for the FACT New Freedom grants or core CTSA activities. All activities of the CTSA will be included in the development of the Regional Mobility Management Center.



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RESOLUTION

NO. 2011-20

APPROVING THE ALLOCATION OF FY 2012 TRANSPORTATION DEVELOPMENT ACT FUNDS ARTICLE 4 FIXED ROUTE GENERAL PUBLIC TRANSIT SERVICE

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2012 TDA funds pursuant to Chapter 4, Article 4, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended; and

WHEREAS, pursuant to PUC Section 99244, SANDAG is required to annually identify, analyze, and recommend potential productivity improvements for the transit operators; and

WHEREAS, SANDAG finds these claims for FY 2012 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to PUC Section 99244, finds that the claimants listed below have made a reasonable effort to implement the productivity improvement recommendations for FY 2011;
2. That the Board adopted the FY 2012 Productivity Improvement Goals set forth in Agenda Report No. 5 at the May 27, 2011, meeting;
3. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

Claim No.	Claimant	Allocation
12031000	Metropolitan Transit System (MTS)	
	Operating	\$59,464,416
	Capital	\$6,311,991
	Total	\$65,776,407
12041000	North County Transit District (NCTD)	
	Operating	\$26,822,743
	Capital	\$1,302,429
	Total	\$28,125,172
	SANDAG	
12031004	Capital Transfer from MTS	\$1,497,729
12031005	Admin/Planning Transfer from MTS	\$2,042,265
12041002	Admin/Planning Transfer from NCTD	\$479,122
	Total	\$4,019,116

4. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2011.

CHAIRPERSON

ATTEST: _____
SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.



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RESOLUTION NO. 2011-21

APPROVING THE ALLOCATION OF FY 2012 TRANSPORTATION DEVELOPMENT ACT FUNDS ARTICLE 4.5 COMMUNITY TRANSIT SERVICE

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2012 TDA funds pursuant to Chapter 4, Article 4.5, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended, including the provision of PUC 99275.5; and

WHEREAS, SANDAG finds these claims for FY 2012 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

Claim No.	Claimant	Allocation
12031001	Metropolitan Transit System Operating	Total \$3,604,844
12041001	North County Transit District Operating	Total \$1,476,054
12061000	CTSA Operating	Total \$108,703

2. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2011.

CHAIRPERSON

ATTEST: _____

SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.



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RESOLUTION

NO. 2011-22

APPROVING THE ALLOCATION OF FY 2012 TRANSPORTATION DEVELOPMENT ACT FUNDS ARTICLE 8 SPECIAL PROVISIONS

WHEREAS, the Transportation Development Act (TDA) claimant listed below has submitted claims for FY 2012 TDA funds pursuant to Chapter 4, Article 8, of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has analyzed the claims and determined that the claims conform substantially to the provisions of the Transportation Development Act of 1971, as amended; and

WHEREAS, SANDAG finds these claims for FY 2012 to be in conformance with the Regional Transportation Plan; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board, pursuant to CGC 29532, does hereby approve the allocation of TDA funds for costs associated with the operation of express bus services (PUC 99400.6), and the operation of commuter ferry service (PUC 99400.7) as shown below:

Claim No.	Claimant	Allocation
	Metropolitan Transit System	
12031002	Operating for Express Bus Service	\$384,408
12031003	Operating for Ferry Service	<u>\$157,103</u>
	Total	\$541,511

2. That MTS is directed to pass-through to the Coronado Ferry its appropriate share of TDA funding; and

3. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2011.

CHAIRPERSON

ATTEST: _____

SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.



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RESOLUTION NO. 2011-23

APPROVING THE ALLOCATION OF FY 2012 TRANSPORTATION DEVELOPMENT ACT FUNDS PLANNING AND ADMINISTRATION

WHEREAS, the Transportation Development Act (TDA) claimants listed below have submitted claims for FY 2012 TDA funds pursuant to Chapter 4, Article 3 (PUC 99233.1 and 99233.2), of the California Public Utilities Code (PUC); and

WHEREAS, pursuant to Section 29532 of the California Government Code (CGC), the San Diego Association of Governments (SANDAG) has determined that the claims are eligible pursuant to the provisions of the Transportation Development Act of 1971, as amended; NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. Pursuant to CGC 29532, does hereby approve the allocation of TDA funds to the following claimants for purposes listed below:

Claim No.	Claimant	Allocation
12021000	County Auditor SANDAG	\$45,000
12051000	Administration	\$374,317
12051001	Regional Planning	<u>\$3,270,990</u>
	Total	\$3,645,307

2. That the Board does further approve the retention in the Local Transportation Fund of \$3,468,517 for future SANDAG regional planning purposes pursuant to Section 6655.1 of Title 21 of the California Code of Regulations;

3. That the Board does hereby authorize the Executive Director to prepare and transmit allocation instructions and payment schedules to the San Diego County Auditor as are necessary and legal for payment of these claims.

PASSED AND ADOPTED this 24th day of June 2011.

CHAIRPERSON

ATTEST: _____

SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.



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RESOLUTION
NO. 2011-24

APPROVING THE ALLOCATION OF
 FY 2012 STATE TRANSIT ASSISTANCE CLAIM TO THE
 NORTH COUNTY TRANSIT DISTRICT

WHEREAS, the North County Transit District (NCTD) has filed a claim for State Transit Assistance (STA) funds in the amount of \$4,919,122 for FY 2012 pursuant to Section 6730(a) of Title 21 of the California Code of Regulations (CCR); and

WHEREAS, the Board of Directors adopted the required findings for NCTD pursuant to Section 6754; and

WHEREAS, the Board of Directors finds that the above claim is in substantial conformance with the provisions of the Transportation Development Act of 1971, as amended, and meets the specific requirements of Section 6754 of Title 21 of the CCR;

NOW THEREFORE

BE IT RESOLVED by the SANDAG Board of Directors as follows:

1. That the Board of Directors does hereby approve the allocation of STA to the following claimants for purposes listed below:

Claim No.	Claimant	Allocation
12041003	NCTD	
	Operating	Total \$4,919,122

2. That the Board of Directors does hereby authorize the Executive Director to prepare and transmit allocation instructions to the San Diego County Auditor as are necessary and legal for payment of this claim.

PASSED AND ADOPTED this 24th day of June 2011.

 CHAIRPERSON

ATTEST: _____
 SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, and Mexico.

WHEREAS, North County Transit District hereby affirms the certifications and required findings as part of the TDA and STA Claims for FY2012 as follows:

Finding #1: The claimant's proposed expenditures are in conformance with the Regional Transportation Plan (RTP).

Finding #2: The claimant is proposing a level of fare revenue sufficient to meet the fare revenue to operating cost ratio requirements of 99268.2, 99268.3, 99268.4, 99268.5, and 99268.9, as applicable.

Finding #3: The claimant is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended.

Finding #4: The sum of the claimant's allocations from the STA Fund and the Local Transportation Fund do not exceed the maximum for which the claimant is eligible.

Finding #5: Priority consideration has been given to offsetting unanticipated increases in the cost of fuel, enhancing existing public transportation services, and meeting high-priority regional needs.

Finding #6: The operator has made a reasonable effort to implement the productivity improvements recommended pursuant to 99244.

Finding #7: The claimant is not prevented by a labor contract entered into after June 28, 1979, from employing part-time drivers or from contracting with common carriers.

Finding #8: The claimant has on file a certification by the Department of the California Highway Patrol verifying compliance with section 1808.1 of the Vehicle Code, pursuant to 99251.

Finding 9: The claimant is in compliance with the requirements of 99314.6

NOW, THEREFORE, BE IT RESOLVED by the North County Transit District Board that the Executive Director of the North County Transit District or his designee is hereby authorized to:

1. Execute and file applications for Article 4.0 and 4.5 TDA funds and STA funds with SANDAG to aid in the operations and capital improvements of the North County Transit District.
2. Furnish such information as SANDAG may require in connection with the applications and the use of such funds.

PASSED, APPROVED AND ADOPTED by the NORTH COUNTY TRANSIT DISTRICT
this 19th day of May, 2011.



CHAIRMAN, North County Transit District

ATTEST:



CLERK OF THE BOARD, North County Transit District

CERTIFICATION

I, Jill McNaughton, duly appointed and qualified, Clerk of the Board of the North County Transit District do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Directors of the North County Transit District adopted at a legally convened meeting of the Board of the North County Transit District held on the 19th day of May, 2011.



CLERK OF THE BOARD, North County Transit District

May 20, 2011
Date