



TRI DELTA TRANSIT

Board of Directors Meeting Agenda

Wednesday, April 24, 2024

Meeting Time:
4:00 pm

Location:
Eastern Contra Costa Transit Authority Boardroom
801 Wilbur Avenue, Antioch



BOARD OF DIRECTORS:

CITY OF ANTIOCH

Lamar Hernandez-Thorpe, Chair
Monica Wilson

CITY OF OAKLEY

Shannon Shaw
Anissa Williams

CONTRA COSTA COUNTY

Diane Burgis
Federal Glover, Vice-Chair

CITY OF BRENTWOOD

Joel Bryant
Tony Oerlemans

CITY OF PITTSBURG

Dionne Adams
Shanelle Scales-Preston

MEMBER-AT-LARGE

Merl Craft

Board of Directors Meeting Agenda
Wednesday April 24, 2024
Available Online: <https://trideltatransit.com/board.aspx>

1. **CALL TO ORDER** Chair Lamar Hernandez-Thorpe
 - a. Roll Call

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENT**

While public comments are encouraged and taken very seriously, State law prevents the Board of Directors from discussing items that are not on the meeting agenda. If appropriate, staff will follow up on public comments. Please see Public Comment Guidelines on the last page of this agenda.

4. **CHAIR'S REPORT** Chair Lamar Hernandez-Thorpe

5. **CONSENT CALENDAR (ACTION ITEM):**

(see attachment: tab #1)

- a. Minutes of the Board of Directors meeting of March 27, 2024
- b. Financial Report
- c. Marketing and Customer Service Activities Report
Requested Action: Approve items 5a, 5b, and 5c

6. **CEO'S REPORT** Rashidi Barnes

(see attachment: tab #2)

7. **ACTION ITEMS and DISCUSSION ITEMS**

- a. **ACTION ITEM:** FY2025 Transportation Fund for Clean Air Program
(see attachment: tab #3)

Requested Action: Adopt Resolution #240424A authorizing the application submittal of the ECCTA FY2025 TFCA program project.

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b. ACTION ITEM: SB 1031 Update

(see attachment: tab #4)

Requested Action: Adopt resolution #240424B opposing the April 17th amended version of SB 1031. If authorized by the Board of Directors, staff will prepare a letter to be sent to the Chair of the Senate Appropriations Committee, which is the next scheduled Committee for this bill.

c. DISCUSSION ITEM: Paratransit Low Income Fare Equity (LIFE) Program Update

(see attachment: tab #5)

Requested Action: Discussion item no action needed

8. BOARD OF DIRECTOR'S COMMENTS

Under this item, Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to staff, or requesting a report be made at another meeting.

9. ADJOURN

Next Meeting: May 22, 2024, at 4:00 p.m., 801 Wilbur Avenue, Antioch, CA 94509.

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Available Online: <https://trideltatransit.com/board.aspx>

PUBLIC COMMENT GUIDELINES:

- Public comments can be submitted via e-mail to CEO@trideltatransit.org.
- Comments received one hour prior to the meeting will be distributed to the members of the Board of Directors and summarized in the minutes.
- Persons requesting to address the ECCTA Board of Directors in person are requested to complete a Comment Request form and submit it to the clerk. If possible, please submit the form prior to the start of the meeting. At the appropriate time, the ECCTA chair will call on individuals to comment.
- During the public comment agenda item, the public is permitted to address the ECCTA Board of Directors on items that are on the consent calendar or items not on the agenda. Individuals may also make a request for future agenda items. No action or discussion may take place on any item not appearing on the posted agenda.
- If a person wishes to speak on a specific agenda item, the ECCTA chair will call on the individual when the agenda item is being discussed by the Board of Directors.
- Persons addressing the ECCTA Board of Directors are requested to limit their remarks to three (3) minutes unless an extension of time is granted by the chair, subject to approval of the ECCTA Board of Directors.

AGENDA, STAFF REPORT, AND DOCUMENT AVAILABILITY:

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection the Friday before each regularly scheduled Board of Director's meeting at ECCTA's front desk located at 801 Wilbur Avenue, Antioch, California. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Board regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at ECCTA's front desk at the above referenced address during regular business hours.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available in the ECCTA parking lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the CEO's Office at (925) 754-6622 or fax (925) 757-2530. Notification no fewer than 48 hours prior to the meeting will enable Tri Delta Transit to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II} Please help us accommodate individuals with EI-MSD and refrain from wearing scented products to this meeting. Please turn off any electronic paging device or cell phone.

LIMITED ENGLISH PROFICIENCY (LEP):

Any person with Limited English Proficiency (LEP) who requires language assistance to communicate with the Tri Delta Transit Board of Directors during the meeting should contact the CEO's Office at (925) 754-6622 or fax (925) 757-2530. Notification no fewer than 48 hours prior to the meeting will enable Tri Delta Transit to make reasonable arrangements to assure language assistance for this meeting.

ANTICIPATED ACTION BY THE BOARD OF DIRECTORS:

The Board of Directors may take action on any item on the agenda, which action may consist of the recommended action, no action or a related action.

TAB 1

Agenda Item #5

Consent Calendar (ACTION ITEM): Minutes, Financial Report and
Marketing Activities Report

Board of Directors Meeting

Wednesday April 24, 2024

ECCTA Boardroom

801 Wilbur Avenue, Antioch, CA 94509

EASTERN CONTRA COSTA TRANSIT AUTHORITY
Antioch - Brentwood - Pittsburg - Oakley and Contra Costa County

MINUTES

March 27, 2024

The Eastern Contra Costa Transit Authority (ECCTA) meeting was called to order in the ECCTA Board Room, 801 Wilbur Avenue, Antioch, California by Chair Hernandez-Thorpe at 4:00 P.M.

ROLL CALL / CALL TO ORDER

BOARD MEMBERS

PRESENT: Dionne Adams (Pittsburg); Joel Bryant (Brentwood); Diane Burgis (Contra Costa County); Merl Craft (Member-at-Large); Federal Glover (Contra Costa County); Tony Oerlemans (Brentwood); Shannon Shaw (Oakley); Anissa Williams (Oakley); Monica Wilson (Antioch); Lamar Hernandez-Thorpe (Antioch/ Chair)

ABSENT: Shanelle Scales-Preston (Pittsburg);

STAFF PRESENT: Rashidi Barnes, Chief Executive Officer (CEO)
Toan Tran, Chief Operating Officer (COO)
Eli Flushman, General Counsel
Agustin Diaz, Manager of Planning and Grants
Rosanna Dominguez, Executive Assistant
Joe Chappelle, Manager of Administrative Services
Tania Babcock, Compliance Manger
Leeann Lorono, Manager of Customer Service and Marketing
DeAnna Perry, Manager of Accessible Services
Sam Tolley, Director of Maintenance

OTHERS

PRESENT: Myeisha Williams, TransDev Assistant General Manager
Ben Trejo , TransDev Safety Manager
Debra Steidle, Paratransit Coordinator
Lori Sprinkle, TransDev Office Manager
Gabriel Sousa, TransDev Operator
Justine Bobo, Member of the Public
Maddie Williams, Member of the Public
Mable Isaac, Member of the Public
Rebecca Clifford, Member of the Public

PLEDGE OF ALLEGIANCE

Chair Hernandez-Thorpe led the Pledge of Allegiance.

PUBLIC COMMENT

No public comment

CHAIR'S REPORT

Chair Hernandez-Thorpe reported his meeting with Garamendi's office at the GoMentum Station in Concord and the work that Glydways and Union Pacific are doing. The Chair reported attending the Transit Employee Appreciation Day and his gratitude for transit employees. The Chair also reported on the closing ceremony for Black History Month, it was a wonderful turnout and event.

CONSENT CALENDAR

On motion by Director Glover, seconded by Director Craft, ECCTA Board members adopted the Consent Calendar below, which was carried by the following vote:

- A. Minutes of the Board of Directors meeting of February 28, 2024
- B. Financial Report
- C. Marketing and Customer Service Activities Report

AYES: Adams, Bryant, Burgis, Craft, Glover, Oerlemans, Shaw, Williams, Wilson,
Hernandez-Thorpe

NOES: None

ABSTAIN: None

ABSENT: Scales-Preston

CHIEF EXECUTIVE OFFICER'S REPORT

A. Operations Report

Mr. Barnes gave an overview of SB 1031, the key points of this measure and what it could mean for small operators in eastern Contra Costa County. At the request of the board, Mr. Barnes will provide any hearing dates to the Board of Directors surrounding this bill. A letter needs to be created to distribute to the various committees, this will give a narrative for why this topic is valuable and the perspective of East Bay operators as a whole.

Mr. Barnes reviewed the recent Tri Delta Transit attended or supported events including, the MTC Legislative Reception, Pittsburg SWAT hostage training that was hosted by Tri Delta Transit, and the opening of the Mokelumne Trail overcrossing. Mr. Barnes also reported on meetings that he has attended, meeting Assembly Woman Lori Wilson, as well as ongoing strategy meetings with CCTA. Through MTI the managers of Tri Delta Transit will have the opportunity to receive training for their roles in a manager training program coming soon.

Mr. Barnes reported on Transit Employee Appreciation Day and expressed gratitude towards those board members who were able to attend and support all of our staff. Mr. Barnes thanked and presented two operators – Gabriel Sousa (in attendance) and Tony Swearegin with Safety Excellence Awards for their quick action in dangerous situations. Mr. Barnes read a letter that one of Gabriel Sousa’s passengers wrote describing what an asset Gabriel is as an operator and how grateful his passengers are to have him as their driver.

ACTION ITEM AND DISCUSSION ITEMS

A. 2024 DBE Program

Compliance Manager Tania Babcock reported on the history of the DBE program. This program is required of all FTA recipients awarded \$250,000 or more in Federal financial assistance. There were slight changes made to the program which Ms. Babcock reviewed. Director Burgis requested that, ECCTA review DBE programs with other local agencies or businesses to try to use each other as a resource.

On motion by Director Williams, seconded by Director Burgis, ECCTA Board members adopted Resolution #240327A, approving ECCTA’s 2024 Disadvantaged Business Enterprise Program and authorizing staff to submit the program to the FTA, which was carried by the following vote:

AYES: Adams, Bryant, Burgis, Craft, Glover, Oerlemans, Shaw, Williams, Wilson,
Hernandez-Thorpe
NOES: None
ABSTAIN: None
ABSENT: Scales-Preston

B. Authorization of Filing for TDA and STA Funding

Manager of Planning and Grants Agustin Diaz reviewed the TDA and STA funding sources, where the funding comes from, and how it is distributed for transportation. Tri Delta Transit needs to apply for these funds each year as funds from this account for 60% of our capital budget annually.

On motion by Director Craft, seconded by Director Shaw, board members adopted Resolution #240327B which authorizes the Chief Executive Officer or their designee to file an application with the Metropolitan Transportation Commission for the FY2024-2025 allocation of Transportation Development Act and State Transit Assistance funds, which was carried by the following vote:

AYES: Adams, Bryant, Burgis, Craft, Glover, Oerlemans, Shaw, Williams, Wilson,
Hernandez-Thorpe
NOES: None
ABSTAIN: None

ABSENT: Scales-Preston

C. LCTOP

Manager of Planning and Grants Agustin Diaz reviewed the Low Carbon Transit Operations Program (LCTOP). Mr. Diaz reviewed the amount that is being requested from Caltrans, in addition, to the funds that will be applied to a three-year capital rollover project to provide the local funding match for the hydrogen fueling station.

On motion by Director Glover, seconded by Director Adams, adopted Resolution #240327C authorizing the execution of the ECCTA FY2024 Low Carbon Transit Operations Program (LCTOP) project, which was carried by the following vote:

AYES: Adams, Bryant, Burgis, Craft, Glover, Oerlemans, Shaw, Williams, Wilson,
Hernandez-Thorpe
NOES: None
ABSTAIN: None
ABSENT: Scales-Preston

BOARD OF DIRECTORS COMMENT

The following Board of Directors commented:

Director Craft
Director Bryant
Director Williams
Director Glover
Chair Thorpe

ADJOURNMENT

The meeting of the Eastern Contra Costa Transit Authority adjourned at 5:07p.m. until April 24, 2024, at 4:00 p.m. in the ECCTA Administrative Facility, 801 Wilbur Ave Antioch, California.

Respectfully submitted,

Rosanna Dominguez

Executive Assistant

TRI DELTA TRANSIT
Income Statement - Comparison to Annual Budget

As of March 31, 2024
(unaudited)

	YTD Actual			YTD Budget			YTD Variance <i>(favorable/(unfavorable))</i>			FY24 Full Year Budget			YTD % of Fiscal Year Budget		
	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR	ECCTA	FR	DR
OPERATING REVENUES															
Passenger Fares	\$ 1,334,442	\$ 872,135	\$ 482,307	\$ 1,353,354	\$ 735,405	\$ 617,949	\$ (18,912)	\$ 136,730	\$ (155,642)	\$ 1,813,298	\$ 984,639	\$ 828,659	74%	89%	56%
Other Income	\$ 431,747	\$ 142,500	\$ 289,247	\$ 374,221	\$ 142,498	\$ 231,723	\$ 57,526	\$ 2	\$ 57,524	\$ 490,741	\$ 190,000	\$ 300,741	88%	75%	96%
Total Operating Revenues:	\$ 1,766,189	\$ 1,014,635	\$ 751,554	\$ 1,727,575	\$ 877,903	\$ 849,672	\$ 38,614	\$ 136,732	\$ (98,118)	\$ 2,304,039	\$ 1,174,639	\$ 1,129,400	77%	86%	67%
NON-OPERATING REVENUES															
Federal Funds	\$ 1,712,109	\$ -	\$ 1,712,109	\$ 1,284,081	\$ -	\$ 1,284,081	\$ 428,028	\$ -	\$ 428,028	\$ 1,712,109	\$ -	\$ 1,712,109	100%		100%
State Funds	\$ 18,578,831	\$ 16,040,495	\$ 2,538,336	\$ 19,482,758	\$ 15,495,754	\$ 3,987,004	\$ (903,927)	\$ 544,741	\$ (1,448,668)	\$ 25,968,665	\$ 20,589,362	\$ 5,379,303	72%	78%	47%
Local Funds	\$ 2,164,954	\$ 737,122	\$ 1,427,832	\$ 2,066,463	\$ 886,697	\$ 1,169,766	\$ 98,491	\$ (189,575)	\$ 258,066	\$ 2,755,287	\$ 1,195,596	\$ 1,559,691	79%	62%	92%
Inter-Operator Agreements	\$ -	\$ -	\$ -	\$ 1,899,063	\$ 1,899,063	\$ -	\$ (1,899,063)	\$ -	\$ (1,899,063)	\$ -	\$ 2,532,085	\$ -	n/a		n/a
Interest & Other Misc Income	\$ 88,353	\$ 17,209	\$ 71,144	\$ 44,997	\$ 37,499	\$ 7,498	\$ 43,356	\$ (20,290)	\$ 63,646	\$ 60,000	\$ 50,000	\$ 10,000	147%	34%	711%
Total Non-operating Revenues:	\$ 22,544,247	\$ 16,794,926	\$ 5,749,421	\$ 24,777,362	\$ 18,329,013	\$ 6,448,349	\$ (2,233,115)	\$ (1,534,187)	\$ (698,923)	\$ 33,028,146	\$ 24,367,043	\$ 8,661,103	68%	69%	66%
Total Revenues:	\$ 24,310,436	\$ 17,809,461	\$ 6,500,975	\$ 26,504,937	\$ 19,206,916	\$ 7,298,021	\$ (2,194,501)	\$ (1,397,455)	\$ (797,046)	\$ 35,332,185	\$ 25,541,682	\$ 9,790,503			
OPERATING EXPENSES															
Purchased Transportation	\$ 15,310,319	\$ 9,865,698	\$ 5,444,621	\$ 15,345,196	\$ 9,900,115	\$ 5,445,081	\$ 34,877	\$ 34,417	\$ 460	\$ 20,459,235	\$ 13,145,945	\$ 7,313,290	75%	75%	74%
Materials and Supplies	\$ 3,467,233	\$ 2,755,134	\$ 712,099	\$ 4,009,386	\$ 3,232,311	\$ 777,075	\$ 542,153	\$ 477,177	\$ 64,976	\$ 5,338,844	\$ 4,296,981	\$ 1,041,863	65%	64%	68%
Salaries & Benefits	\$ 4,221,456	\$ 3,645,028	\$ 576,428	\$ 4,789,750	\$ 4,214,987	\$ 574,763	\$ 568,294	\$ 569,959	\$ (1,665)	\$ 6,386,332	\$ 5,619,980	\$ 766,352	66%	65%	75%
Services	\$ 867,713	\$ 649,526	\$ 218,187	\$ 923,114	\$ 674,512	\$ 248,602	\$ 55,401	\$ 24,986	\$ 30,415	\$ 1,230,818	\$ 899,350	\$ 331,468	70%	72%	66%
Other	\$ 286,941	\$ 232,470	\$ 54,471	\$ 342,656	\$ 295,651	\$ 47,005	\$ 55,715	\$ 63,181	\$ (7,466)	\$ 459,753	\$ 396,145	\$ 63,608	62%	59%	86%
Casualty and liability insurance	\$ 901,102	\$ 743,215	\$ 157,887	\$ 866,242	\$ 695,322	\$ 170,920	\$ (34,860)	\$ (47,893)	\$ 13,033	\$ 1,154,991	\$ 927,097	\$ 227,894	78%	80%	69%
Utilities	\$ 242,030	\$ 203,438	\$ 38,592	\$ 213,523	\$ 182,362	\$ 31,161	\$ (28,507)	\$ (21,076)	\$ (7,431)	\$ 282,334	\$ 240,787	\$ 41,547	86%	84%	93%
Taxes	\$ 16,774	\$ 12,434	\$ 4,340	\$ 15,070	\$ 11,656	\$ 3,414	\$ (1,704)	\$ (778)	\$ (926)	\$ 19,878	\$ 15,397	\$ 4,481	84%	81%	97%
Total Operating Expenses:	\$ 25,313,568	\$ 18,106,943	\$ 7,206,625	\$ 26,504,937	\$ 19,206,916	\$ 7,298,021	\$ 1,191,369	\$ 1,099,973	\$ 91,396	\$ 35,332,185	\$ 25,541,682	\$ 9,790,503	72%	71%	74%
EXCESS REV/(EXP)	\$ (1,003,132)	\$ (297,482)	\$ (705,650)	\$ -	\$ 0	\$ -	\$ 1,003,132	\$ 297,482	\$ 705,650	\$ -	\$ 0	\$ -			

Agenda Item #5b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
April 24, 2024

Staff Report to ECCTA Board of Directors

- Meeting Date:** April 24, 2024
- Agenda Item:** Marketing/Communications Activities – Agenda Item #5c
- Lead Staff:** Leeann Loroño, Manager of Customer Service and Marketing
- Approved:** Rashidi Barnes, Chief Executive Officer

Tri Delta Transit strives to provide top notch service to our customers and the community, as well as communicate the pivotal role Tri Delta Transit plays. Here are some projects Marketing has been working on.

	<h3>April Marketing Campaign</h3> <p>It's time for the Tri Delta Transit's Community Shred-it event. Pre-advertising went into the Grapevine, is currently up on social media and the website to let the communities we serve know of the event.</p> <p>Thank you to our partners: City of Oakley, City of Antioch and Republic Services.</p> <p>Thank you for helping to spread the word.</p>
	<h3>Upcoming Fun</h3> <p>Tri Delta Transit will be appearing at various places throughout April and May. Here are a few:</p> <ul style="list-style-type: none"> • LMC Career event, April 30th Recruitment of mechanic interns and operators



- Bike to Wherever Day, Antioch BART, May 16th
Promoting alternate transportation to driving
- Contra Costa County Fair, May 16-19th
Booth event & Enter to win a four pack of tickets contest. Enter till May 9th at 5:00 pm.

Ongoing Projects:

Tri Delta Transit @TriDelt... • Just now
Tri Delta Transit takes you places!

Food Truck Thursdays are back! Every Thursday from now until October from 5-9pm, at the Antioch WATERPARK. All flavors of food trucks, including beer, wine and desserts.
Here's how: 387 and 388. [Here too!](#)

Every Thursday from FEBRUARY 8th to OCTOBER 24th

Tri Delta Transit @TriDelt... • Just now
Tri Delta Transit takes you places!

The City of Oakley is bringing back Art in the Park for 2024! April 13th from 10am-1pm at Civic Center Plaza, Main Street.

Take Route 391 to stop by Civic Center Plaza, check out local performances, artist showcase, and more!

Tri Delta Transit @TriDelt... • Just now
Tri Delta Transit takes you places!

Join in the fun and go to the Three Day Play Festival in downtown Brentwood at the Brentwood Community Center. How fun to watch 10 minute plays.

Take Route 391 downtown, stay for dinner then the plays. What fun.

Tri Delta Transit @TriDelt... • Just now
Tri Delta Transit takes you places!


Take Route 381 to the Doctorbird Market, 90 E 4th St from 2:00-4:00 pm so that Chef Linda Carucci can lead you through an interactive exercise about flavor.

Transit Takes You Places

Riders are encouraged to take public transportation to get to and from events safely. Tri Delta Transit takes you to most major points of interest in eastern Contra Costa County like these:

- Food Truck Thursdays, Antioch
- Art in the Park, Oakley
- Culinary Workshop, Pittsburg
- 10 Minutes Plays, Brentwood

If you have an event that a Tri Delta Transit route goes near or to, send it to comments@eccta.org, and we will let riders know.

	<h2>Website Reimagined</h2> <p>The website redesign is moving along the development phase getting closer and closer every day. Testing is tentatively scheduled for the end of May.</p>
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SOCIAL MEDIA ANALYTICS

Following please find a brief summary of metrics for the Tri Delta Transit social media accounts.

MAIN ACCOUNTS	MONTHS			
Followers	DECEMBER 2023	JANUARY 2024	FEBRUARY 2024	April 2024
Facebook	1.3k	1.3k	1.3k	1.3k
Instagram	989	988	994	1,016!
X (Twitter)	1,042	1,047	1,054	1,054
LinkedIn	504		545	

ALERT ACCOUNTS	MONTHS			
Followers	DECEMBER 2023	JANUARY 2024	FEBRUARY 2024	April 2024
Facebook	46	49	53	56
Instagram	80	78	78	81
X (Twitter)	15	15	22	21

*Instagram back

X (TWITTER)	MONTHS			
	DECEMBER 2023	JANUARY 2024	FEBRUARY 2024	April 2024
Impressions	4,528	3,675	4,332	4,230
Engagement*	Not shown	*	*	*
Retweets*	12	*	*	*
Likes - New*	15	*	*	*

- X is reportedly working on their analytics page.

Please let us know if you have any questions or need further information about any of these materials.

Agenda Item #5c
 Eastern Contra Costa Transit Authority
 Board of Directors Meeting
 April 24, 2024

TAB 2

Agenda Item #6a
CEO Report

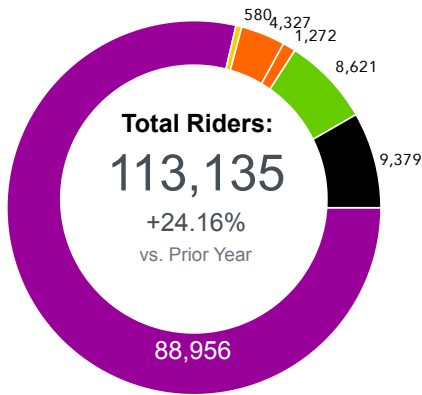
Board of Directors Meeting

Wednesday April 24, 2024

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

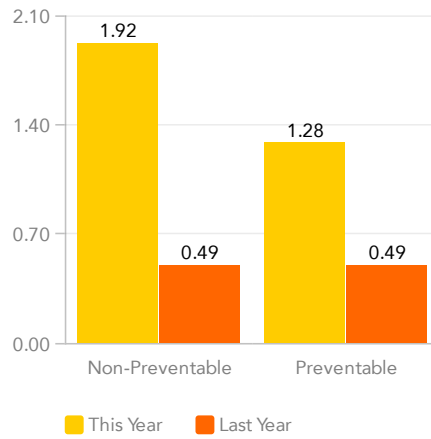
TRI DELTA TRANSIT Performance Summary

Ridership

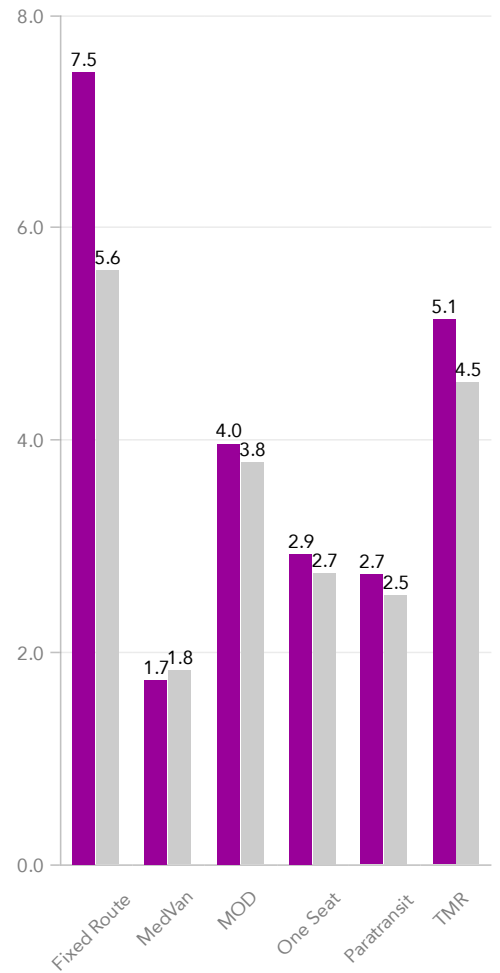


- Fixed Route
- MedVan
- MOD
- One Seat
- Paratransit
- TMR

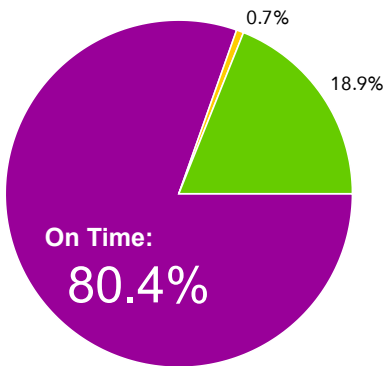
Accidents / 100K Miles



Passengers Per Revenue Hour

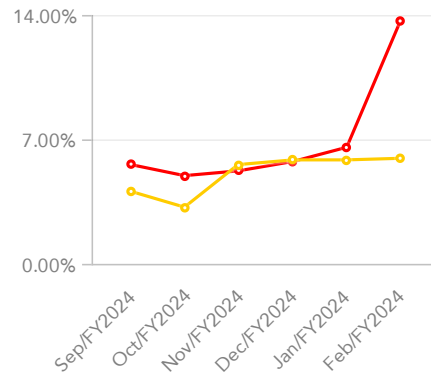


On Time Performance



- On Time
- Early
- Late

Cost Recovery Ratio



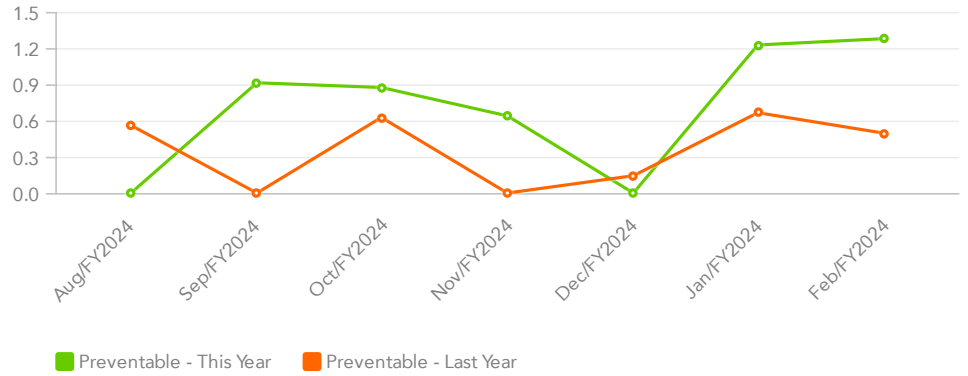
- Demand Response
- Fixed Route

- This Year
- Last Year

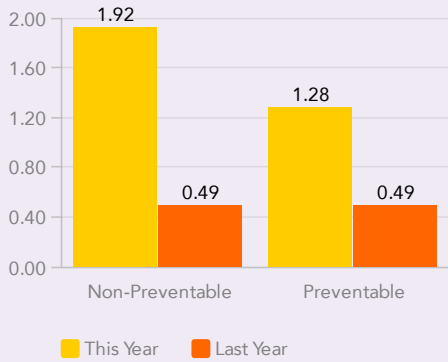
Preventable Accident Report

	Accidents	Per 100,000 Miles
Sep/FY2024	3	0.91
Oct/FY2024	3	0.87
Nov/FY2024	2	0.64
Jan/FY2024	4	1.22
Feb/FY2024	4	1.28
YTD 2023	2	0.49
YTD 2024	4	1.28
YTD Change	2	161.22%

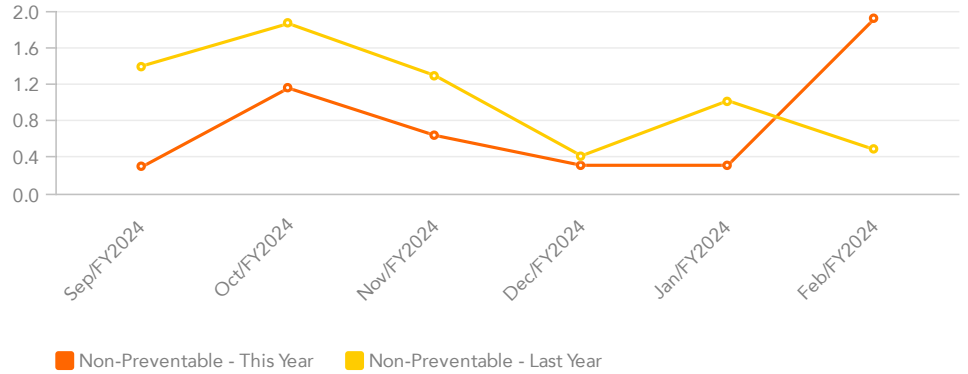
Preventable Accidents Per 100,000 Miles Last Six Months - System Wide



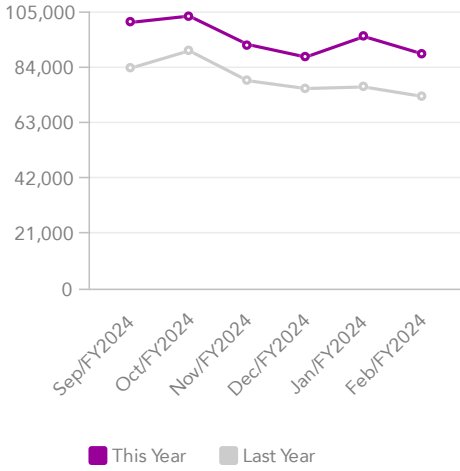
Year To Date - System Wide Accidents Per 100,000 Miles



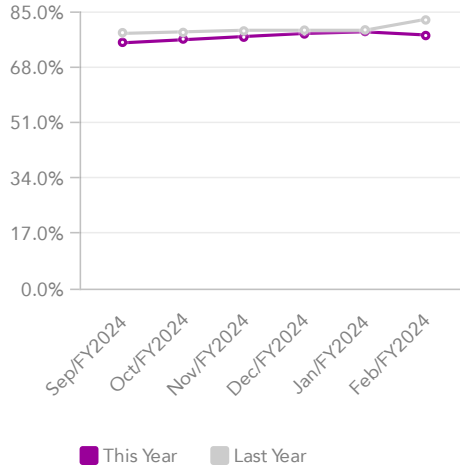
Non-Preventable Accidents Per 100,000 Miles Last Six Months - System Wide



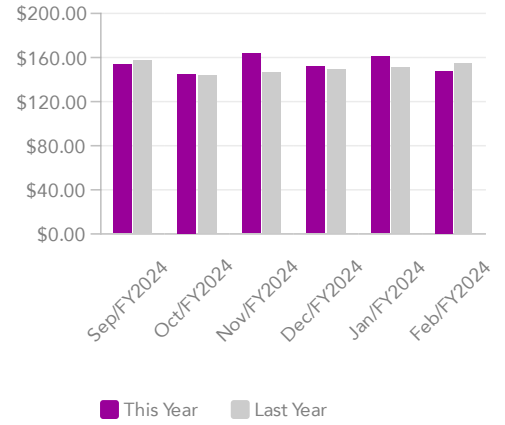
Total Ridership



On Time Performance



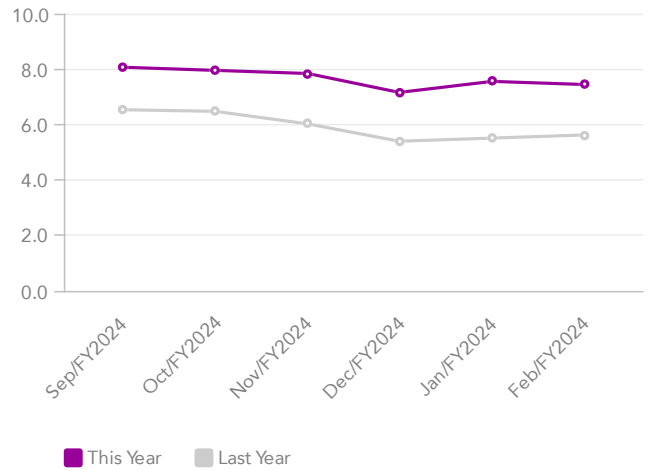
Operating Cost Per Revenue Hour



YTD Report - Fixed Route

	Metric	This Year	Prior Year	% Change
Customer Service	% of Trips On Time	77.59	82.36	-5.8%
	Average Miles Between Roadcalls	6,612.48	185,533.90	-96.4%
Ridership	Complaints Per 100k Riders	34.85	24.69	+41.2%
	Ridership Per Rev. Hour	7.46	5.60	+33.2%
Financial	Operating Costs Per Rev. Hour	147.00	153.72	-4.4%
Ridership	Ridership	88,956.00	72,900.00	+22.0%

Passengers Per Revenue Hour



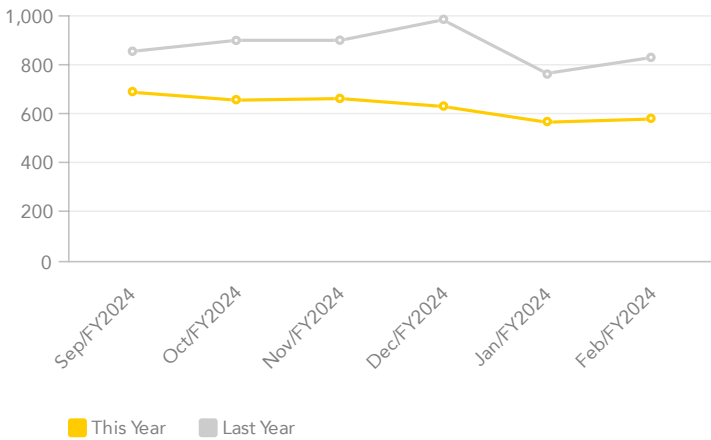
MedVan, Paratransit, and MOD Performance

YTD Report

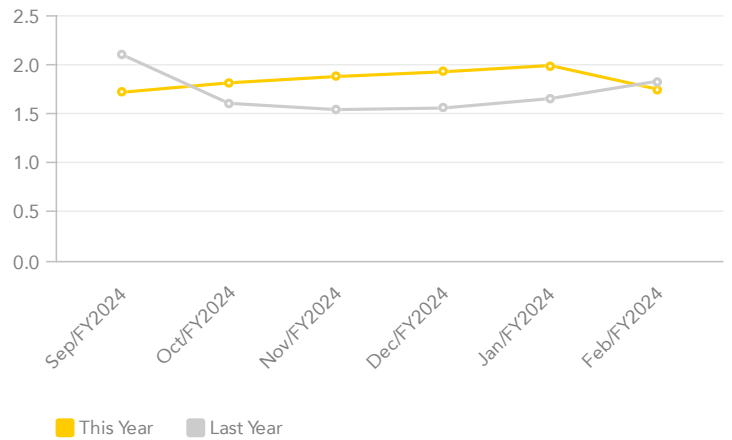
MedVan

	Metric	This Year	Prior Year	% Change
Customer Service	% of Trips On Time	93.42	96.09	-2.8%
	Complaints Per 100k Riders	172.41	0.00	
	Ridership Per Rev. Hour	1.74	1.82	-4.4%
Financial	Operating Costs Per Rev. Hour	113.80	141.92	-19.8%
Ridership	Ridership	580.00	828.00	-30.0%

Total Ridership



Passengers Per Revenue Hour

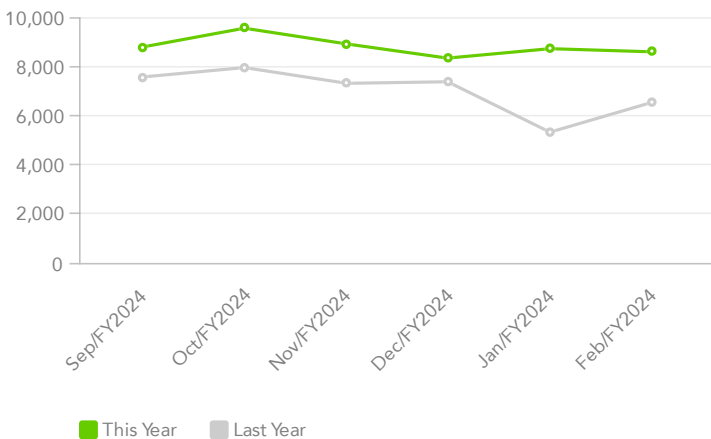


YTD Report

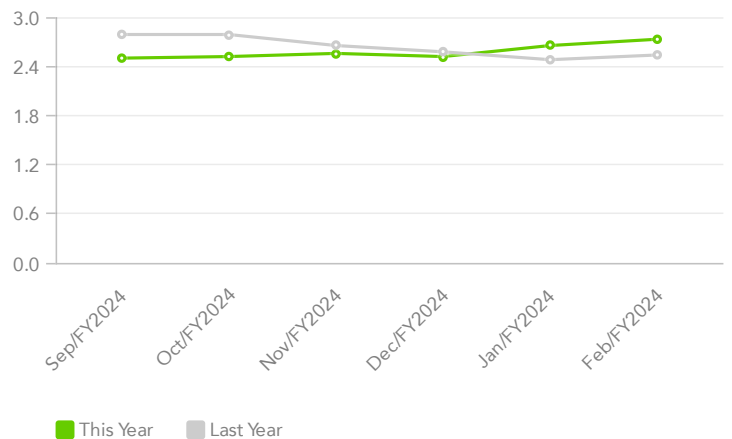
Paratransit

	Metric	This Year	Prior Year	% Change
Customer Service	% of Trips On Time	90.90	90.21	+0.8%
	Complaints Per 100k Riders	92.80	106.97	-13.2%
	Ridership Per Rev. Hour	2.73	2.54	+7.5%
Financial	Operating Costs Per Rev. Hour	113.17	154.59	-26.8%
Ridership	Ridership	8,621.00	6,544.00	+31.7%

Total Ridership



Passengers Per Revenue Hour

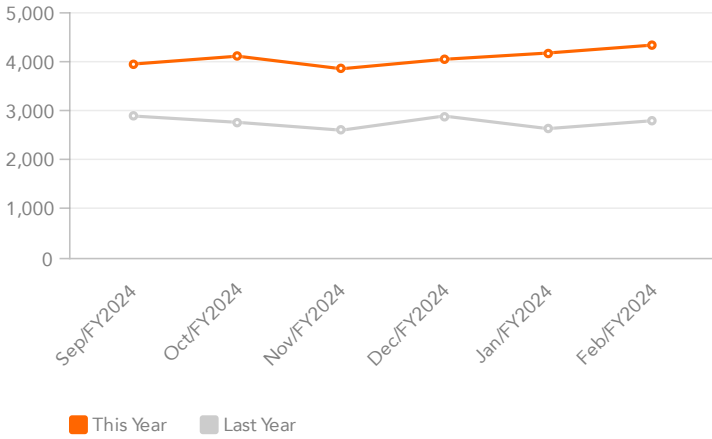


YTD Report

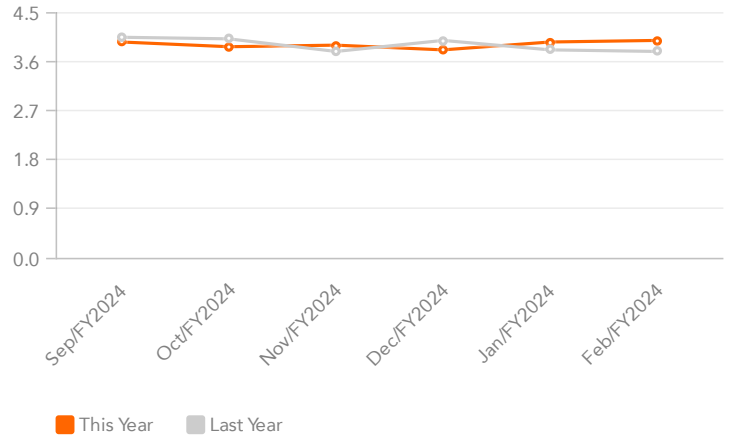
MOD

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	0.00	0.00	
Service	Ridership Per Rev. Hour	3.97	3.79	+4.7%
Financial	Operating Costs Per Rev. Hour	79.74	95.17	-16.2%
Ridership	Ridership	4,327.00	2,789.00	+55.1%

Total Ridership



Passengers Per Revenue Hour

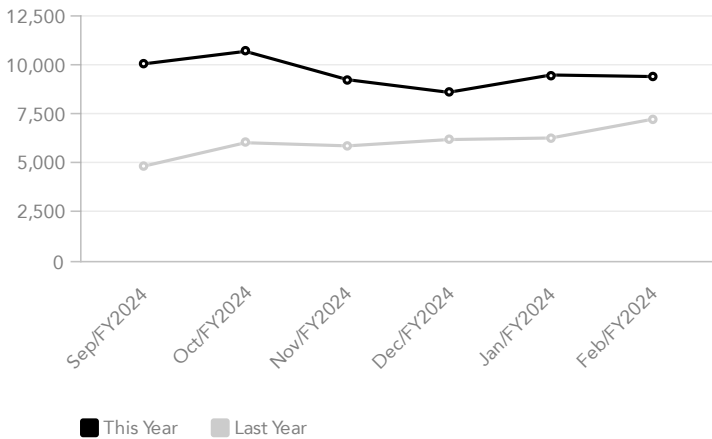


YTD Report

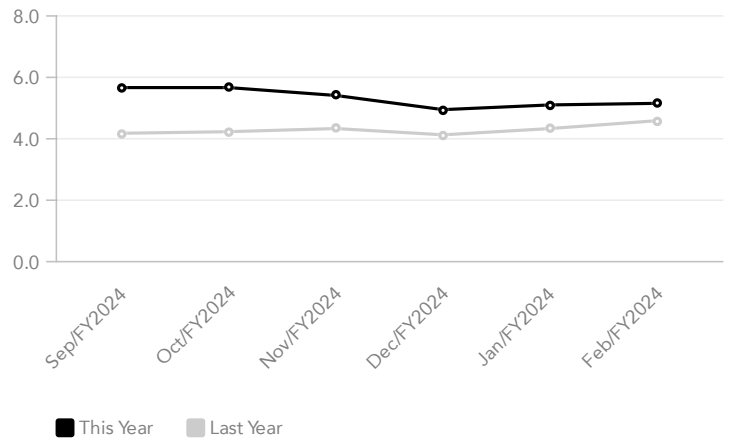
TMR

	Metric	This Year	Prior Year	% Change
Customer	Complaints Per 100k Riders	21.32	83.36	-74.4%
Service	Ridership Per Rev. Hour	5.14	4.54	+13.2%
Financial	Operating Costs Per Rev. Hour	111.26	139.44	-20.2%
Ridership	Ridership	9,379.00	7,198.00	+30.3%

Total Ridership



Passengers Per Revenue Hour



TAB 3

Agenda Item #7a
ACTION ITEM: FY2025
Transportation Fund for Clean Air
Program

Board of Directors Meeting

Wednesday April 24, 2024

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: April 24, 2024

Agenda Item: FY2025 Transportation Fund for Clean Air Program – Agenda Item #7a

Lead Staff: Agustin Diaz, Manager of Planning and Grants

Approved: Rashidi Barnes, Chief Executive Officer



Background

To protect public health, the California State Legislature enacted the California Clean Air Act in 1988. Pursuant to this law, the Bay Area Air Quality Management District (Air District) has adopted the 2017 Clean Air Plan (CAP), which describes how the region will work toward compliance with State and Federal ambient air quality standards and make progress on climate protection. To reduce emissions from motor vehicles, the 2017 CAP includes transportation control measures (TCMs) and mobile source measures (MSMs). A TCM is defined as “any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions.” MSMs encourage the retirement of older, more polluting vehicles and the introduction of newer, less polluting motor vehicle technologies.

In 1991, the California State Legislature authorized the Department of Motor Vehicles (DMV) to impose a \$4 surcharge on motor vehicles registered within the Bay Area to fund projects of TCMs and MSMs. The Air District allocates this revenue through its Transportation Fund for Clean Air (TFCA) program to fund eligible projects and programs.

Forty percent (40%) of these TFCA funds are pass-through funds to the designated administering agency in each of the nine counties within the Air District’s jurisdiction based on the county’s proportionate share of fee-paid vehicle registration (“TFCA 40% Fund”).

Financial Impact

ECCTA is an eligible applicant for the TFCA program. We are prepared to file a FY25 TFCA project application with the Contra Costa Transportation Authority at this time. Staff recommends that the application for FY25 TFCA program be for a project that requests funding to expand Tri MyRide service.

Requested Action

Adopt Resolution #240424A authorizing the application submittal of the ECCTA FY2025 TFCA program project.



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

RESOLUTION #240424A

AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR THEIR DESIGNEE TO SUBMIT AN APPLICATION FOR THE TRANSPORTATION FUND FOR CLEAN AIR PROGRAM FOR THE FOLLOWING PROJECT(S):

Tri MyRide Service Expansion

WHEREAS, the California State Legislature authorized the Department of Motor Vehicles to impose a \$4.00 surcharge on motor vehicles registered within the San Francisco Bay area; and

WHEREAS, the Bay Area Air Quality Management District allocates this revenue through its Transportation Fund for Clean Air (TFCA) program to fund eligible projects; and

WHEREAS, forty percent (40%) of these TFCA funds are pass-through funds to the designated administering agency in each of the nine counties within the Air District's jurisdiction; and

WHEREAS, the Contra Costa Transportation Authority (CCTA) has been designated as the program manager for Contra Costa County; and

WHEREAS, in order to qualify for these funds, the Eastern Contra Costa Transit Authority (ECCTA) is required to submit a proposed project application to CCTA; and

WHEREAS, ECCTA proposes to apply for these funds with the project Tri MyRide Service Expansion;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastern Contra Costa Transit Authority that it hereby authorizes the submittal of the proposed project for FY2025 TFCA program funds.

NOW THEREFORE, BE IT RESOLVED that the Chief Executive Officer, or their designee, be authorized to execute all required documents of the TFCA program and any amendments thereto with the Contra Costa Transportation Authority.



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

RESOLUTION #240424A

**AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR THEIR DESIGNEE
TO SUBMIT AN APPLICATION FOR THE TRANSPORTATION FUND FOR CLEAN
AIR PROGRAM FOR THE FOLLOWING PROJECT(S):
Tri MyRide Service Expansion**

PASSED AND ADOPTED THIS 24th day of April 2024, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Lamar Hernandez-Thorpe, Chair

Rashidi Barnes, Chief Executive Officer

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTIONS: _____

TAB 4

Agenda Item #7b
ACTION ITEM: SB 1031 Update

Board of Directors Meeting

Wednesday April 24, 2024

ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509

Staff Report to ECCTA Board of Directors

Meeting Date: April 24, 2024

Agenda Item: Regional Tax Measure SB 1031 – Agenda Item #7b

Lead Staff: Rashidi Barnes, Chief Executive Officer

Approved: Rashidi Barnes, Chief Executive Officer



Background

On March 18, Senators Scott Weiner (D–San Francisco) and Aisha Wahab (D-Fremont) introduced a co-authored bill, SB 1031. Senator Wiener is leading this new bill, which replaces SB 925 (Weiner) and SB 397 (Wahab). This new bill includes the Metropolitan Transportation Commissions (MTC's) regional transportation measure enabling legislation among numerous other matters related to transit accountability and reform. On April 12, the MTC Legislative Committee met and adopted a set of proposed amendments to SB1031, many of which were included in the [amendments](#) released on April 16. The amended bill language consists of the following provisions:

- Authorizes MTC to place a transportation funding measure on the ballot for all nine counties or a subset for the Nov. 2026 ballot or later;
- Returns 70% of the new revenue to the source county within a distribution formula/framework and conditions new funding for transit agencies based on compliance with stronger Regional Network Management (RNM) rules and ridership;
- Gives MTC control over any new funds raised in the future measure and increases/establishes MTC's authority over existing funding resources such as Transportation Development Act funds, and conditions these funds as well;
- Requires an assessment of the consolidation and coordination of the Bay Area transit operators to be completed by January 1, 2026. Then, California State Transportation Agency (CalSTA) must submit study recommendations to the State Legislature by January 1, 2027, which includes a requirement to "*identify opportunities to consolidate two or*

more agencies and provide specific recommendations for the consolidation or elimination of transit agencies and their governing bodies...”

- Requires that a public transit agency maintain its existing commitment of local funds to transit operations to be eligible for an allocation of new revenues generated by the new measure;

SB 1031 (Wiener and Wahab) – Key Legislative Deadlines:

- April 26: must be passed by Senate policy committees (Committee on Transportation, Committee on Revenue & Taxation)
- May 17: must be passed by the Senate Appropriations Committee
- May 24: must be passed by the Senate
- July 3: must be passed by Assembly policy committees (Committee on Transportation, and likely one other policy committee)
- August 16: must be passed by the Assembly Appropriations Committee
- August 31: must be passed by the Assembly (if the bill is amended in the Assembly, the Senate must vote again to concur in the Assembly’s amendments)
- September 30: last day for Governor to sign or veto bills

Discussion

Following the recommendations of the Blue Ribbon task force, Tri Delta Transit (TDT) has consistently participated in all MTC-led and operator-co-led regional transit initiatives and has been working in good faith with fellow Bay Area transit operators and MTC to establish and make good use of the new Regional Network Manager Council (RNM Council), including the effort to develop clear accountability measures for all transit operators. Based on these past efforts, TDT supports the stated goals of this legislation, which envisions a world-class transportation network that meets the diverse needs of Bay Area residents, combats climate change, and has a meaningful impact on reducing vehicle miles traveled. TDT also supports advancing legislation enabling Bay Area voters to weigh in on generating new revenues to support and expand transit in the Bay Area.

However, the bill in print today is concerning. The legislation’s original intent was to provide needed financial relief to the operators in the Bay Area. Unfortunately, the current iteration includes extraneous items that detract from addressing that central issue. SB 1031 turns a relatively straightforward authorization for a regional tax measure into a complex and costly transit governance measure and requires an unnecessary consolidation study and plan.

Below, we detail TDT’s concerns with the amended language of SB 1031:

Agenda Item #7b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
April 24, 2024

TDT and other transit agencies have been working closely with MTC to develop mechanisms for improved transit agency coordination and resource-sharing. Based on TDT's extensive experience as an operator, as TDT leaders know the costs and benefits of regional transportation management and the challenges associated with efforts to study and then change how agencies work together. We believe an assessment of the various forms of consolidation – or even more limited regional coordination – must be well thought-out, with sufficient staff and financial resources to support its timely delivery and utility. However, SB 1031 requires an assessment study on an extremely tight time frame, requires the coordination and support of multiple public agencies, including the California State Transportation Agency, an academic transportation institute, and an academic labor institute, and includes no cost estimate or source of funds. TDT supports the removal of the consolidation assessment elements of SB 1031 and instead suggests coordination and collaboration continue to be enhanced through the local partnerships and the existing RNM structure.

TDT understands the need for accountability from agencies receiving financial support through new regional sources and for MTC to be equipped with the proper tools to provide regional oversight. However, TDT believes MTC's efforts should reflect the RNM process agreed to by local agencies and allow that process to evolve. The "governance" goals outlined in SB 1031 go significantly further than what local agencies agreed to, and the bill also grants MTC expanded authority to withhold historical state transit funds if MTC's direction for achieving the goals of the bill is not followed, something TDT believes is not consistent with the original intent of MTC's role in distributing state transit funding.

For example, SB 1031 would expand MTC's authority to withhold State Transportation Assistance (STA) and Local Transportation Funds (LTF). STA and LTF provide essential operational funding agencies rely on: currently about 73% of TDT's \$34 million operating budget. TDT believes MTC should not be given the authority to withhold existing State-generated transit operations funding, especially as there are other ways to ensure accountability, including placing restrictions on MTC discretionary funding and any new money coming from the Regional Transportation Measure.

SB 1031 requires that a public transit agency maintain its existing commitment of local funds to transit operations to be eligible for an allocation of new revenues generated by the new measure. Although only a portion of TDT's funds are raised through local tax measures, Contra Costa County would be considered a self-help county. However, the current transportation-based tax measures are not controlled by TDT. As a byproduct of a Joint Powers Agreement (JPA), TDT does not have any authority over the local tax measures (Measure J and X). If a current countywide measure is not extended or replaced by our administering county, critical funds

Agenda Item #7b
Eastern Contra Costa Transit Authority
Board of Directors Meeting
April 24, 2024

generated by this new Bay Area revenue measure will also become unavailable for access. TDT finds that this requirement is punitive and fails to acknowledge existing local self-help tax measures that are not controlled by transit authorities.

As mentioned, SB 1031 will be a new regional tax measure that plans to return 70% of the new revenue to the source county within a distribution formula/framework and conditions new funding for transit agencies based on compliance with stricter RNM rules and ridership improvements. Due to BART's fiscal cliff, at the end of FY26, they proposed ending all bus feeder payments. These payments represent 10% of TDT's operating budget. There has not been any conversation with TDT staff about replacing this lost revenue. However, more tax revenue will be generated in this county and redispersed to BART or other agencies at the discretion of MTC if voters approve the new tax measure. At a minimum, reinstatement of the bus feeder funds should be codified with the guaranteed 70% return to source guarantee still intact.

Fiscal Impact

There is no fiscal impact associated with adopting a position on SB1031.

Recommendation

Adopt Resolution #240424B, opposing the April 17th amended version of SB 1031. If authorized by the Board of Directors, staff will prepare a letter to be sent to the Chair of the Senate Appropriations Committee, which is the next scheduled Committee for this bill.

Attachments

1. SB 1031 PowerPoint Presentation
2. SB 1031 San Francisco Bay area: local revenue measure: transportation improvements.



TRI DELTA TRANSIT

Eastern Contra Costa Transit Authority
801 Wilbur Avenue • Antioch, California 94509
Phone 925.754.6622 Fax 925.757.2530

RESOLUTION #240424B SB 1031 (Wiener and Wahab)

Resolution #240424B adopts the position of the Eastern Contra Costa Transit Authority to oppose unless amended SB 1031 (Wiener and Wahab): Bay Area: Local Transportation Revenue Measure As amended April 16, 2024

WHEREAS, Senators Scott Weiner (D–San Francisco) and Aisha Wahab (D-Fremont) introduced a co-sponsored bill, Senate Bill (SB) 1031 (the “Bill”), which is sponsored by the Metropolitan Transportation Commission (MTC); and

WHEREAS, the Bill includes MTC’s regional transportation measure enabling legislation among numerous other matters related to transit accountability and reform; and

WHEREAS, on April 12, 2024, the MTC Legislative Committee met and adopted a set of proposed amendments to SB 1031, many of which were included in the amendments that were released in print on April 17; and

WHEREAS, SB 1031 authorizes MTC to place a measure on the ballot for all nine counties in the bay area, or a subset of those counties, for the Nov. 2026 ballot or later; and

WHEREAS, SB 1031, if approved, returns 70% of new revenue obtained through a tax measure to the source county within a distribution formula/framework, and conditions new funding for transit agencies based on compliance with stronger Regional Network Management rules and ridership; and

WHEREAS, SB 1031 would provide MTC control over allocating any new funds raised in the future measure, and increases MTC’s authority over existing funding resources such as Transportation Development Act funds; and

WHEREAS, the Bill requires an assessment of the consolidation and coordination of the Bay

**RESOLUTION #240424B SB 1031
(Wiener and Wahab)**

Resolution #240424B adopts the position of the Eastern Contra Costa Transit Authority to oppose unless amended SB 1031 (Wiener and Wahab): Bay Area: Local Transportation Revenue Measure As amended April 16, 2024

Area transit operators to be complete by January 1, 2026, and then requires California State Transportation Agency (CalSTA) to submit study recommendations to the State Legislature by January 1, 2027; and

WHEREAS, in the wake of COVID-19, MTC released a framework for the creation of a 30 member Blue Ribbon Transit Recovery Task Force. Since then, small transit operators such as Tri Delta Transit (TDT), have been working diligently with colleagues in the region to implement recommendations from the taskforce; and

WHEREAS, efforts of the Blue Ribbon Transit Recovery Task Force has been coordinated by a Regional Network Manager Council, which includes representation from large and small transit operators; and

WHEREAS, SB 1031 includes language demonstrating its intent of “strengthening regional network management... including the possibility of establishing a body with [MTC] to guide regional network management efforts”, but it does not codify the current structure, and instead provides open-ended authority for the ongoing regional network management work to MTC; and

WHEREAS, SB 1031 expands MTC’s authority to impose broad new “rules and regulations” on fares, schedules, mapping and wayfinding, and other undefined operational policies; and

WHEREAS, compliance with these rules and regulations would become a condition for TDT to access any new funding from a future regional measure, but will also apply to the receipt of current State Transit Assistance (STA) and Local Transportation Funds (LTF), whether or not a new regional funding measure is approved; and

WHEREAS, SB 1031 includes a costly assessment aimed at requiring the consolidation of Bay Area public transit operators, which is not contingent on the passage of a new regional transportation funding measure authorized by the Bill; and

WHEREAS, SB 1031 requires that a public transit agency maintain its existing commitment of local funds to transit operations to be eligible for an allocation of new revenues generated by the new measure; and

**RESOLUTION #240424B
SB 1031 (Wiener and Wahab)**

Resolution #240424B adopts the position of the Eastern Contra Costa Transit Authority to oppose unless amended SB 1031 (Wiener and Wahab): Bay Area: Local Transportation Revenue Measure As amended April 16, 2024

WHEREAS, TDT is not in control or have any authority over the local measures (Measure J and X) nor if a current measure is extended or replaced by our administering county, and as such, the Bill imposes burdens on TDT which are out of its control and which would threaten TDTs ability to obtain funding that has been and is intended to be allocated to TDT ; and

NOW THEREFORE BE IT RESOLVED, that the Eastern Contra Costa Transit Authority adopts this resolution to demonstrate its opposition unless amended of the proposed SB 1031 bill released by the authors (Wiener and Wahab) on April 16, 2023; and

PASSED AND ADOPTED THIS 24th day of April 2024, by the following votes:

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Lamar Hernandez-Thorpe, Chair

Rashidi Barnes, Chief Executive Officer

AYES: _____
NOES: _____
ABSENT: _____
ABSTENTIONS: _____



TRI DELTA TRANSIT

EASTERN CONTRA COSTA TRANSIT AUTHORITY

Providing public transportation to get us
where we need and want to go.



Senate Bill 1031 (Wiener & Wahab)

Legislative Update

- Key Dates At-a-Glance
- TDT Concerns with Proposed Amendments
- “Guardrails” on MTC authority
- Peer Operator Positions

Key Dates At-a-Glance

- April 12 - Joint Metropolitan Transportation Commission (MTC) and Association of Bay Area Government (ABAG)
- April 23 - Legislation Committee Senate Transportation Committee Hearing
- April 24 - Senate Revenue and Taxation Committee Hearing
- April 24 - Tri Delta Transit Board Meeting
- **April 26 - Must be passed by Senate policy committees (Committee on Transportation, Committee on Revenue & Taxation)**
- **May 17 - Must be passed by the Senate Appropriations Committee**
- **May 24 - Must be passed by the Senate**
- **July 3 - Must be passed by Assembly policy committees (Committee on Transportation, and likely one other policy committee)**
- **August 16 - Must be passed by the Assembly Appropriations Committee**
- **August 31 - Must be passed by the Assembly (if the bill is amended in the Assembly, the Senate must vote again to concur in the Assembly's amendments)**
- **September 30 - last day for Governor to sign or veto bills**

TDT Concerns With the Current Amendments

- Scope of consolidation assessment and implementation plan, associated funding
- Enhanced regional network management
- Conditioning of new and existing funding
 - STA and TDA Funding (70% of TDT operating funds)
- Maintenance of effort language
 - Measure J and Measure X
- Bus Feeder Funds Reinstatement

“Guardrails” on MTC Authority

Core Goals of Amendments

- In March 2024, transit operators sent a joint letter to Senator Wiener outlining several areas in which agency-level authority should be maintained.
- MTC and transit operators have collaborated on proposed “guardrails” to address agency-level control over:
 - Operating budgets and fare policies
 - Funding sources
 - Bargaining
 - Individual logos/brands
 - Schedule and service planning



March 7, 2024

The Honorable Scott Wiener
California State Senate
1021 O Street, Suite 8620
Sacramento, CA 95814

Re: Development of a Structure for Bay Area Regional Transit Management and Accountability

Dear Senator Wiener:

We appreciate the opportunity to offer ideas and strategy options for reforms as part of the regional transportation funding measure envisioned in SB 925.

Since the beginning of the pandemic, Bay Area transit agencies have been working in close partnership with MTC, strengthening lines of regular communications across all branches of transit, convening weekly meetings of transit executives, and collaborating on multiple initiatives to coordinate fares, schedules, wayfinding, and more to improve the rider experience and encourage ridership growth. This includes the Bay Area’s regional network management structure approved by the MTC in February 2023 and stood up over the last year. It includes the following elements:

- MTC [Regional Network Management Committee](#) (made up of MTC commissioners and some non-voting members with more transit-specific expertise) that sets the regional vision for transit policy and provides leadership on the overall direction of the RNM’s key initiatives.
- MTC [Regional Network Management Council](#) (made up of General Managers of transit agencies and the MTC Executive Director) that provides transit operational expertise and leadership in steering the RNM’s work to ensure regional transit policies are feasible and consider the unique contexts of different operators. The RNM Council also allows operator and MTC executive leadership to proactively resolve potential implementation barriers.
- MTC [Regional Network Management Customer Advisory Group](#) (made up of advocates and stakeholders) that advises the RNM Committee by providing transit rider perspectives and feedback.
- MTC Regional Network Management Section (led by Melanie Choy, the MTC RNM Section Director, who oversees a small section of staff dedicated to carrying out the planning and implementation of the RNM’s regional transit initiatives)

“Return to Source” & Transit Funding

Assigning “Transit Benefit” to Counties

- Policymakers want to see a high “Return to Source” (RTS) guarantee
- RTS defined as how much taxpayers are receiving relative to what they are paying
- Given size of transit fiscal cliff, a high RTS cannot be achieved unless transit operating funding is included in calculation
- To achieve an RTS figure in the 70-80% ballpark, we must **attribute the *benefit of staving off transit service cuts*** back to the counties.

Two Methods Explored to Assign Transit Funding Benefit for Multi-County Systems

A higher percentage means a **larger amount** of the transit agency's deficit is assigned to that county as a "**benefit**," counting towards the county's Return to Source calculation.

	All Day Boardings	AM Boardings
BART		
Alameda	35%	44%
Contra Costa	14%	23%
San Francisco	44%	21%
San Mateo	6%	9%
Santa Clara	2%	2%
Caltrain		
San Francisco	24%	21%
San Mateo	34%	37%
Santa Clara	42%	42%
Golden Gate Transit		
Contra Costa	2%	2%
Marin	48%	68%
San Francisco	47%	25%
Sonoma	3%	4%

SB 1031 Funding Framework Proposal

- Achieve \$750 minimum via percentages rather than dollar value
- Revise bonding language to address concerns raised related to operating funding
- 70% Return to Source for Years 1-5, ramping up to 80% in Year 6

Funding Program	Share
Transit	45%
	<ul style="list-style-type: none">• 40% formula to counties• 60% regional• Minimum guarantees by total riders served
Safe Streets	25%
Connectivity	15%
Flex	15%
County RTS Guarantee	70%

Key Elements of Framework

Near-term fiscal cliff addressed; significant funds for transit over long-term

Each county receives share of Transit, Safe Streets & Connectivity

Operating shortfall has first call on discretionary transit funds

Flex funds to meet return to source (RTS) minimums & operating shortfall; remaining resources may be used for regional priorities

70% return to source (RTS) in near-term; grows to 80% over time*

*Tradeoff: Growing return to source puts pressure on transit operations backstop.

Connect Bay Area Funding Framework

Expenditure Category	\$1.5 B Scenario	\$1 B Scenario
45% - Transit Transformation	\$675 M	\$450 M
40% - Transit Formula	\$270 M	\$180 M
60% - Discretionary	\$405 M	\$270 M
25% - Safe Streets	\$375 M	\$250 M
15% - Connectivity	\$225 M	\$150 M
15% - Flexible	\$225 M	\$150 M
TDM Mandate (Transit portion)	\$150 M	\$150 M
TOTAL	\$1.65B	\$1.15B

Framework at \$1.5 billion Scenario: 70% Return to Source Years 1-5

Annualized Return to Source by County (Years 1-5 with AM Boardings)
(\$ in Millions)

County	Safe Streets	Connectivity	Transit Formula	Transit			Total	RTS Level Achieved
				Discretionary	TDM Mandate	Flex		
Alameda	\$ 77	\$ 46	\$ 55	\$ 99		\$ -	\$ 278	90%
Contra Costa	\$ 43	\$ 26	\$ 31	\$ 45		\$ -	\$ 145	84%
Marin	\$ 13	\$ 8	\$ 9	\$ 20		\$ -	\$ 50	96%
Napa	\$ 9	\$ 6	\$ 7	\$ -		\$ 4	\$ 26	70%
San Francisco	\$ 37	\$ 22	\$ 27	\$ 266		\$ -	\$ 352	238%
San Mateo	\$ 43	\$ 26	\$ 31	\$ 33		\$ -	\$ 133	77%
Santa Clara	\$ 109	\$ 65	\$ 78	\$ -		\$ 52	\$ 304	70%
Solano	\$ 21	\$ 13	\$ 15	\$ -		\$ 10	\$ 59	70%
Sonoma	\$ 23	\$ 14	\$ 17	\$ -		\$ 11	\$ 65	70%
TDM Contribution to Shortfall Coverage				\$ (58)	\$ 58	\$ -	\$ -	
Funds for Regional Priorities					\$ 92	\$ 147	\$ 239	
Grand Total (With TDM)	\$ 375	\$ 225	\$ 270	\$ 405	\$ 150	\$ 225	\$ 1,650	

SB 1031 TERM SHEET

- MTC's authority to put a measure to voters expires after 2040
- Taxes may have a duration of up to 30 years
- Goal of bill is to raise \$1.5 billion annually from new taxes; sales tax increase limited to not more than ½ cent
- Keep placeholder language for new transit pass proposal.
- MTC can only bond against revenues raised by the taxes authorized by this bill and that are retained by MTC.
Bonds can only be used for capital investments.
- MTC, as regional network manager has authority to condition STA funds on its network management policies approved by the Commission subject to prescribed guardrails in the bill. The bill shall not change MTC authority on conditioning any other existing funds.
- On the Return to Source Issue, the author is completely committed to continuing discussions with stakeholders, including stakeholders in the South Bay, on return to source and the structure of the expenditure plan framework.

Peer Agency Positions

Agency	Action	Date
SamTrans	Oppose Unless Amended	April 3
Caltrain	Oppose Unless Amended	April 4
VTA	Oppose Unless Amended	April 4
<i>Joint MTC/ABAG Legislation Committee</i>	<i>Support Proposed Amendments</i>	<i>On Agenda for April 12</i>

Thank you for your continued support.



 **TRI DELTA TRANSIT**
EASTERN CONTRA COSTA TRANSIT AUTHORITY



SB-1031 San Francisco Bay area: local revenue measure: transportation improvements. (2023-2024)

SHARE THIS:  

Date Published: 04/16/2024 09:00 PM

AMENDED IN SENATE APRIL 16, 2024

AMENDED IN SENATE MARCH 18, 2024

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL

NO. 1031

**Introduced by Senators Wiener and Wahab
(Principal coauthor: Assembly Member Ting)**

February 06, 2024

An act to amend Sections 65081 and 66516 of, to add Section 13978.9 to, to add the heading of Division 1 (commencing with Section 66500) to Title 7.1 of, and to add Division 2 (commencing with Section 66538) to Title 7.1 of, the Government Code, to amend Section 99270.5 of the Public Utilities Code, to add Section 976.9 to the Unemployment Insurance Code, and to add Section 9250.3 to the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1031, as amended, Wiener. San Francisco Bay area: local revenue measure: transportation improvements.

(1) Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services.

This bill would authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, in accordance with applicable constitutional requirements. The bill would require the parcel tax to be collected by counties and the other 3 taxes to be collected by specified state agencies, and would require the net revenues from those taxes to be remitted to the commission, as prescribed. The bill would require the revenue generated pursuant to these provisions to be used for transportation improvements in the San Francisco Bay area, including for various transit purposes, and would require the commission to distribute those revenues in accordance with specified ~~requirements and expressions of legislative intent.~~ *requirements.*

By adding to the duties of local officials with respect to elections procedures for revenue measures on behalf of the commission, this bill would impose a state-mandated local program.

(2) Existing law establishes the Transportation Agency, consisting of various state agencies under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency.

This bill would require the Transportation Agency to select a transportation institute, as defined, to ~~conduct an assessment of the associated advantages and disadvantages of consolidating all of the~~ *conduct an assessment that analyzes the benefits and disbenefits to riders, and the administrative, financial, legal, contractual, and governance feasibility, of various forms of consolidation, as defined, among* transit agencies, as defined, that are located in the 9-county San Francisco Bay ~~area, as specified.~~ *area*. The bill would require that assessment to be completed on or before January 1, 2026, and would require, as part of that assessment, the transportation institute to ~~provide recommendations on how to consolidate those transit agencies and to include certain information in the assessment:~~ *identify specified information about each transit agency and to consider certain topics relating to consolidation*. Based on the findings of the assessment, the bill would require the Transportation Agency, on or before January 1, 2027, to ~~recommend a comprehensive plan to consolidate all of the transit agencies located in the San Francisco Bay area, as provided:~~ *develop a report of recommendations that, among other things, identifies opportunities to consolidate 2 or more agencies and provides specific recommendations for the consolidation or elimination of transit agencies and their governing bodies without resulting in the elimination of programs and transportation services, as specified*. The bill would establish the Bay Area Transit Consolidation *and Coordination* Technical Assistance Fund in the State Treasury for the deposit of moneys that can be used for specified purposes, including paying for the cost of conducting the assessment and preparing the ~~comprehensive plan,~~ *report*, as specified. The bill would require the assessment and the ~~comprehensive plan~~ *report* to be submitted to the Legislature upon completion.

(3) Existing law requires the Metropolitan Transportation Commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified.

This bill would revise and recast this provision by, among other things, providing that the commission is responsible for implementing a seamless transit rider experience across the San Francisco Bay area and requiring those rules and regulations to also promote the coordination of mapping and wayfinding, real-time transit information, and other customer-facing operating policies, as specified. The bill would also declare that it is *the* intent of the Legislature that the commission implement and sustain specified outcomes in undertaking these responsibilities. The bill would require the commission to submit an annual report to the Legislature on the status of those outcomes and the status of transit ridership in the San Francisco Bay area. By imposing additional duties on the commission, the bill would create a state-mandated local program.

(4) Under existing law, a transit operator within the jurisdiction of the commission is not eligible to receive funding allocated by the commission pursuant to the State Transit Assistance Program unless it has complied with the above-described rules and regulations adopted by the commission.

This bill would also make a transit operator ineligible to receive an allocation from the commission of the revenues generated by the new taxing authority authorized by the bill or to make a claim pursuant to the Transportation Development Act for an allocation of funds from a local transportation fund if the operator is not in compliance with those rules and regulations.

(5) Existing law authorizes the commission and the Bay Area Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 agencies with a specified number of covered employees to offer those employees certain commute benefits, as specified.

This bill would also authorize one of those commute benefit options to include an employer-provided regional transit pass.

This bill would authorize the commission, as part of a measure to impose a tax described above, to propose a ballot measure that would require a covered employer that is located in proximity to transit to purchase a regional transit pass for each of its employees and to require a covered employer that is not located in proximity to transit to provide a subsidy to each of its employees corresponding in financial value to the regional transit pass, as specified. If the ballot measure is approved by the voters, the bill would require the commission and the district to update the ordinance accordingly.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The San Francisco Bay area needs a world-class, reliable, affordable, efficient, and connected transportation network that meets the needs of bay area residents, businesses, and visitors while also helping combat the climate crisis.

(b) A world-class transportation network will enhance access to opportunity, lower greenhouse gas emissions, strengthen the region's economy, and improve quality of life.

(c) To achieve that vision, the San Francisco Bay area needs all of the following:

(1) A public transit network that offers safe, clean, frequent, accessible, easy-to-navigate, and reliable service that gets transit riders where they want and need to go safely, affordably, quickly, and seamlessly.

(2) Local roads that are well maintained.

(3) Transit, biking, walking, and wheeling options that are safe, convenient, and competitive alternatives to driving.

(d) Regional funding and reforms are necessary to create a climate-friendly transportation system that is safe, accessible, and convenient for all, including through doing all of the following:

(1) Protecting and enhancing transit service.

(2) Making transit faster, safer, and easier to use.

(3) Enhancing mobility and access for all.

SEC. 2. This act shall be known, and may be cited as, the ~~_____~~ *Connect Bay Area* Act of 2024.

SEC. 3. Section 13978.9 is added to the Government Code, to read:

13978.9. (a) For purposes of this section, the following definitions apply:

(1) "Commission" means the Metropolitan Transportation Commission.

(2) *"Consolidation" means a reform to transit agencies that includes one or more of the following:*

(A) Combining staffs or back office functions of two or more transit agencies while retaining separate governing boards.

(B) Replacing multiple governing boards with a unified governing board representing a broader jurisdiction.

(C) Creating a more effective umbrella structure under which existing transit agencies are brought together but still operate as distinct agencies with separate governing boards.

(D) Increasing coordination across two or more transit agencies to deliver one or more components of a transportation service so the agencies can increase their capacity to provide trips. Coordination may include, but is not limited, to any of the following:

(i) Sharing passenger trips and vehicles.

(ii) Colocation of facilities, programs, or services.

(iii) Collaborating on grant applications, state or local plans, or both, training, vehicle purchasing, or maintenance.

(iv) Joint hiring of a mobility manager.

(v) Federal fund braiding.

(3) "Labor institute" means the University of California, Berkeley Labor Center or the UCLA Labor Center.

~~(2)~~

(4) "San Francisco Bay area" means the region comprising the commission's jurisdiction, as prescribed by Section 66502.

~~(3)~~

(5) "Transit agency" has the same meaning as "public transportation operator" as defined in subdivision (b) of Section 99312.2 of the Public Utilities Code.

~~(4)~~

(6) "Transportation institute" means either the University of California Institute of Transportation Studies or the Mineta Transportation Institute at San José State University.

(b) The Transportation Agency shall oversee the completion of the assessment required pursuant to subdivision (c) and the report of legislative recommendations required pursuant to subdivision (d) in a manner that emphasizes, across all facets of analysis and recommendations, benefits to riders and disabled riders, including those who use paratransit. The completion of the assessment and report shall include consultation with impacted stakeholders including, but not limited to, impacted transit agencies, transit unions, transit riders, and local governments. It is the intent of the Legislature that the assessment and the report help achieve all of the following goals with regard to the operation of public transit in the San Francisco Bay area:

(1) Improving the speed, efficiency, and reliability of service.

(2) Improving the affordability of fares.

(3) Improving the safety and cleanliness of service.

(4) Promoting the achievement of the state's climate goals, including through the incorporation and diffusion of zero-emission technologies.

(5) Incorporating other technological changes that improve rider experience and safety.

(6) Improving accessibility of, and connections to, regional and interregional transit service in a manner that competes with private automobile travel, particularly for low-income residents and those residing in equity priority communities, as defined by the commission.

(7) Improving and simplifying the accountability of the transportation systems to the public and riders.

(8) Reducing administrative costs and improving cost efficiencies within and across transit agencies.

~~(b)~~

~~(c) (1) The Transportation Agency shall select a transportation institute to conduct an assessment of the associated advantages and disadvantages of consolidating all of the transit agencies that are located within the San Francisco Bay area, and shall oversee the transportation institute in that regard: in accordance with the requirements of this section. The transportation institute shall consult with a labor institute, if it chooses to participate, in conducting all aspects of the assessment with respect to impacts on the workforce and labor relations. The transportation institute shall complete the assessment on or before January 1, 2026, and upon completion, shall submit the assessment to the Legislature in compliance with Section 9795, and to the commission and each of the transit agencies located in the San Francisco Bay area.~~

~~(2) In undertaking the duties set forth in paragraph (1), the Transportation Agency shall consult with impacted stakeholders, included, but not limited to, impacted transit agencies, transit unions, transit riders, and local governments.~~

~~(3) If the Transportation Agency selects the University of California Institute of Transportation Studies to complete the assessment, the requirement to complete the assessment shall only apply to the University of California to the extent that the Regents of the University of California, by appropriate resolution, make that requirement applicable.~~

~~(4) In conducting the assessment, the transportation institute shall also study the impact that regional consolidation would have on wages, work conditions, pension, and retirement benefits of workers covered by collective bargaining agreements at relevant agencies.~~

~~(5) As part of the assessment, the transportation institute shall provide recommendations on how to consolidate those transit agencies in a manner that does all of the following:~~

~~(A) Prioritizes cost savings to the public, the adoption of advanced technology, and other efficiencies.~~

~~(B) Meets and exceeds climate goals.~~

~~(C) Improves the speed of transit and the seamlessness of transfers.~~

~~(D) Advances any other improvements to transit operations.~~

~~(6)~~

(2) The transportation institute shall ~~identify~~, *identify each transit agency that has authority to create policy or assess charges with regard to transit and that is located in the San Francisco Bay area and*, at a minimum, all of the following information in the assessment:

~~(A) Each transit agency, and each agency that has authority to create policy or assess charges with regard to transit, that is located in the San Francisco Bay area and whether the governing body of those agencies is appointed or elected.~~

~~(B) The size of the membership, terms of service of the members, and whether the members are voting members, for each governing body of an agency described in subparagraph (A).~~

~~(C) Whether the governing body of an agency described in subparagraph (A) was created pursuant to state statute, local ordinance, city charter, federal law, or ballot measure or initiative.~~

~~(D) The county where each agency described in subparagraph (A) and its governing body is located.~~

~~(E) Any qualifications required to serve as a member of the governing board of an agency described in subparagraph (A).~~

(A) The county where each transit agency and its governing body is located.

(B) The governance structure of each transit agency, including all of the following information:

(i) The size of the membership, terms of service of the members, and whether the members are voting members, and whether the governing body of those agencies is appointed or elected.

(ii) Any qualifications required to serve as a member of the governing board of the transit agency.

(iii) Whether the governing body of the transit agency was created pursuant to state law, local ordinance, city charter, federal law, or ballot measure or initiative.

~~(f)~~

~~(C) The funding structures, including any tax assessments, and revenue mechanisms, including any temporary or permanent state or federal support, or both, established for each ~~agency described in subparagraph (A)~~. *transit agency.*~~

~~(G)~~

~~(D) The fares or other fees imposed on riders by each transit agency and the available routes provided by each transit agency.~~

~~(H)~~

(E) The fleet type and size of each transit agency.

~~(I)~~

*(F) The programs and services offered to riders by each transit agency, including any subsidies *or discounts* offered to riders.*

~~(J)~~

~~(G) The workforce size and type of each ~~agency described in subparagraph (A)~~, transit agency, whether there are any applicable labor contracts for that workforce, and the socioeconomic makeup of that workforce.~~

~~(K)~~

~~(H) The socioeconomic makeup of the riders of each transit agency.~~

~~(L) The continuity of travel between public transit systems operated by different transit agencies and between different services or programs operated by the same transit agency.~~

~~(M) Infrastructure gaps between routes of regional travel.~~

~~(N) Service gaps between routes of travel.~~

~~(O) Existing and planned regional network management efforts, including efforts to modify and improve the commission's regional network management authority, and how consolidation would relate to, or impact, those efforts.~~

(I) The number and rate of transfers between public transit services operated by different agencies.

(J) An analysis of existing transit service gaps compared to regional travel patterns and how it relates to transit agencies' boundaries.

(3) The assessment shall analyze the benefits and disbenefits to riders, and the administrative, financial, legal, contractual, and governance feasibility, of various forms of consolidation among transit agencies that are located within the San Francisco Bay area.

(4) The assessment shall consider all of the following:

(A) The impacts of consolidation on all of the following:

(i) Wages, work conditions, and pension and retirement benefits of workers covered by collective bargaining agreements at relevant agencies and contracted services.

(ii) Operating budgets.

(iii) Existing costs.

(iv) Costs associated with implementation.

(v) Governance.

(vi) The total number of people employed and employment opportunities.

(B) Challenges associated with any form of consolidation, including consolidation of transit agencies with different service modes, rolling stock, and technologies, and with other key operational differences across agencies.

(C) Regulatory and legal barriers to any form of consolidation.

(D) Existing and planned regional network management efforts, including efforts to modify and improve the commission's regional network management authority, and how consolidation would relate to, or impact, those efforts.

(5) If the Transportation Agency selects the University of California Institute of Transportation Studies to conduct the assessment, the requirement to conduct the assessment shall only apply to the University of California to the extent that the Regents of the University of California, by appropriate resolution, make that requirement applicable.

~~(e)~~

(d) (1) Based on the findings of the assessment conducted pursuant to subdivision ~~(b)~~, (c), the Transportation Agency shall ~~recommend a comprehensive plan to consolidate all of the transit agencies that are located in the San Francisco Bay area. develop a report of recommendations to the Legislature.~~ The Transportation Agency shall complete the ~~plan report~~ on or before January 1, 2027, and, upon completion, shall submit the ~~plan report~~ to the Legislature in compliance

with Section 9795, and to the commission and each of the transit agencies located in the San Francisco Bay area. In the ~~plan, report,~~ the Transportation Agency shall do all of the following:

~~(1) Design the plan in a manner that provides benefits to riders, including paratransit riders, and that does all of the following:~~

~~(A) Improves access to routes and services, including across city and county boundaries, and improves connections to regional and interregional transit service in a manner that competes with private automobile travel.~~

~~(B) Maintains affordable fares and reliable, safe, and efficient service.~~

~~(C) Improves and simplifies the accountability of the transportation system to the public and riders.~~

~~(D) Supports greater efficiency and cost-effectiveness, and reduces administrative costs.~~

~~(E) Provides more equitable access to quality, connected transit services to communities throughout the region.~~

~~(2)(A) Identify opportunities to consolidate agencies and provide specific recommendations for the consolidation or elimination of transit agencies and their governing bodies without resulting in the elimination of programs and transportation services:~~

~~(B) For the purposes of this paragraph, "consolidation" may include reforms to transit agencies that include one or more of the following:~~

~~(i) Combining staffs of transit agencies.~~

~~(ii) Replacing multiple governing boards with a unified governing board representing a broader jurisdiction.~~

~~(iii) Creating an umbrella structure under which existing transit agencies are brought together but still operate as distinct divisions with separate governing boards.~~

(A) Identify opportunities to consolidate two or more agencies and provide specific recommendations for the consolidation or elimination of transit agencies and their governing bodies without resulting in the elimination of programs and transportation services, with consideration for existing and planned regional network management efforts or structures.

(B) Identify steps to maintain and transfer labor agreements and bargaining units to maintain employee wages, benefits, protections, and working conditions secured by those agreements.

(C) Identify barriers to the consolidation or elimination of transit agencies, including local, state, or federal laws, and alternative actions to the consolidation or elimination of those agencies.

(D) Recommend opportunities for securing federal, state, and local moneys that can be used to fund consolidation.

(E) Recommend a strategy for a public education and outreach program on any proposed consolidation efforts.

~~(3) Recommend~~

(2) If the Transportation Agency recommends a new governing structure and governing board member qualifications, as appropriate, for a new consolidated agency or ~~agencies based~~ agencies, the Transportation Agency shall base that recommendation on research of effective international models of transit delivery excellence, and consideration of recent regional and state studies of effective transit governance. In making ~~these recommendations,~~ a recommendation described in this paragraph, the Transportation Agency shall do ~~both all~~ of the following:

(A) Identify any future legislative steps required to implement the recommended governing structure.

(B) Consider other reforms necessary to ensure that commission policy is democratically accountable and serves the regional welfare.

~~(4) Identify and describe any relationship or impacts of the recommendations or elements of the plan on existing and planned regional network management efforts or structures:~~

~~(5) Identify necessary local, state, or federal laws that may impact efforts to implement the consolidation of the transit agencies.~~

~~(6) Identify steps, in consultation with impacted stakeholders, to maintain and transfer labor agreements and bargaining units to maintain employee wages, benefits, protections, and working conditions secured by those agreements.~~

~~(7) Identify barriers to consolidating or eliminating transit agencies and alternative actions, including memorandums of understanding between transit agencies, for the consolidation of services.~~

~~(8) Describe the steps necessary for, and the feasibility of, interoffice and interagency coordination of programs, services, and resources for riders if consolidation is not feasible.~~

~~(9) Recommend opportunities for securing federal, state, and local moneys that can be used to fund consolidation.~~

~~(10) Recommend a strategy for a public education and outreach program on any proposed consolidation efforts and any proposed coordination services and programs.~~

(C) Assess any impact that consolidation would have on wages, work conditions, and pension and retirement benefits of workers covered by collective bargaining agreements at the relevant transit agencies, including paratransit and other contracted services.

(3) The Transportation Agency may contract with a consultant to complete the report required pursuant to this subdivision if the Transportation Agency does both of the following:

(A) Establishes a team to advise the consultant that, at minimum, includes a transportation institute and a labor institute, if they choose to participate, and that may additionally include, as needed, individuals with expertise in the legal, governance, financial, and operational aspects of public transportation in the state.

(B) Oversees the consultant consistent with subdivision (b).

~~(d)~~

(e) (1) The Bay Area Transit Consolidation *and Coordination* Technical Assistance Fund is hereby established in the State Treasury for the deposit of moneys that can be used for the following purposes:

(A) Paying for the cost of conducting the assessment pursuant to subdivision ~~(b)~~ (c) and preparing the ~~comprehensive plan report~~ pursuant to subdivision ~~(c)~~ (d).

(B) Paying for *administrative* expenses related to the implementation of the consolidation of transit agencies located in the San Francisco Bay area, if those consolidations occur.

(2) Any moneys deposited into the fund, including moneys deposited into the fund pursuant to Section 66538.40, shall be available to the Transportation Agency, upon appropriation by the Legislature, for the purposes described in paragraph (1).

(3) The Transportation Agency may accept private donations to be used for the purposes described in this section. Any donations received pursuant to this paragraph shall be deposited into the fund established pursuant to paragraph (1).

SEC. 4. Section 65081 of the Government Code is amended to read:

65081. (a) It is the intent of the Legislature to encourage metropolitan planning organizations and local air quality management districts or air pollution control districts to work with local employers to adopt policies that encourage commuting by means other than driving alone. To encourage this, the Legislature hereby establishes a program in that regard in the greater San Francisco Bay Area.

(b) Notwithstanding Section 40717.9 of the Health and Safety Code, the Bay Area Air Quality Management District and the Metropolitan Transportation Commission with respect to the common area within their respective jurisdictions may jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the district and commission to offer all covered employees one of the following choices:

(1) A pretax option: a program, consistent with Section 132(f) of the Internal Revenue Code, allowing covered employees to elect to exclude from taxable wages employee commuting costs incurred for transit passes or vanpool charges, up to the maximum amount allowed by federal tax law.

(2) Employer-paid benefit: a program whereby the covered employer offers employees a subsidy to offset the monthly cost of commuting via public transit or by vanpool, or, in addition, and at the employer's discretion, by bicycle. The subsidy shall be equal to either the monthly cost of commuting via public transit or by vanpool, or seventy-five dollars (\$75), whichever is lower. The seventy-five dollar (\$75) amount shall be adjusted annually consistent with the California Consumer Price Index. If the covered employer chooses to offer a subsidy to offset the monthly cost of commuting by bicycle, the subsidy shall be either the monthly cost of commuting by bicycle or twenty dollars (\$20), whichever is lower.

(3) Employer-provided transit: transportation furnished by the covered employer at no cost, or low cost as determined by the district or commission, to the covered employee in a vanpool or bus, or similar multipassenger vehicle operated by or for the employer.

(4) Employer-provided regional transit pass: a program whereby the covered employer offers covered employees a subsidy in the form of a universal regional transit pass to offset the monthly cost of commuting via public transit.

(c) Nothing in this section shall prevent a covered employer from offering a more generous commuter benefit that is otherwise consistent with the requirements of the applicable commute benefit ordinance. Nothing in this section shall require employees to change their behavior.

(d) An employer offering, or proposing to offer, an alternative commuter benefit on the employer's own initiative, or an employer otherwise required to offer an alternative commuter benefit as a condition of a lease, original building permit, or other similar requirement, if the alternative is not one of the options identified in subdivision (b), may seek approval of the alternative from the district or commission. The district or commission may approve an alternative if it determines that the alternative provides at least the same benefit in terms of reducing single-occupant vehicle trips as any of the options in subdivision (b). An employer that offers an approved alternative to covered employees in a manner otherwise consistent with this section is not required to offer one of the options in subdivision (b).

(e) The commute benefit ordinance shall provide covered employers with at least six months to comply after the ordinance is adopted.

(f) An employer that participates in or is represented by a transportation management association that provides the employer's covered employees with any of the benefits in subdivision (b), or an alternative benefit determined by the district or commission pursuant to subdivision (d) to provide at least the same benefit in terms of reducing single-occupant vehicle trips as any of the options in subdivision (b), shall be deemed in compliance with the regional ordinance, and the transportation management association may act on behalf of those employers in that regard. The district or commission shall communicate directly with the transportation management association, rather than the participating employers, to determine compliance with the ordinance.

(g) A commute benefit ordinance adopted pursuant to this section shall specify all of the following:

- (1) How the implementing agencies will inform covered employers about the ordinance.
- (2) How compliance with the ordinance will be demonstrated.
- (3) The procedures for proposing and the criteria that will be used to evaluate an alternative commuter benefit pursuant to subdivision (d).
- (4) Any consequences for noncompliance.

(h) Nothing in this section shall limit or restrict the statutory or regulatory authority of the commission or district.

(i) The commission shall not use federal planning funds in the implementation of the commute benefit ordinance.

(j) (1) Notwithstanding subdivisions (b) and (d), the commission ~~may~~ *may, either directly or through a qualified voter initiative, propose a ballot measure in all nine counties of the San Francisco Bay area or a subset of those counties* as part of a measure proposed pursuant to Division 2 (commencing with Section 66538) of Title 7.1 and subject to the election procedures set forth in that division to update the ordinance adopted pursuant to this section to do both of the following:

- (A) Require a covered employer that is located in proximity to transit to purchase a regional transit pass for each of its employees that provides universal and unlimited access to transit services provided by transit agencies operating in the common area within the jurisdiction of the district and the commission.

(B) Require a covered employer that is not located in proximity to transit to provide a subsidy to each of its employees corresponding in financial value to the regional transit pass described in subparagraph (A) to encourage commuting to work by means other than driving alone.

(2) Consistent with subdivision (b) of Section 66538.20, if the update to the ordinance is proposed in a subset of the counties of the San Francisco Bay area, the update to the ordinance authorized in paragraph (1) shall apply only in those counties in which the measure was submitted to the voters.

(3) Notwithstanding subdivisions (b) and (d), if a ballot measure described in paragraph (1) is approved, the commission and the district shall update the ordinance adopted pursuant to this section to require covered employers to provide covered employees with the applicable commuting benefit set forth in subparagraphs (A) and (B) of paragraph (1) instead of requiring covered employers to offer the choices described in paragraphs (1) to (4), inclusive, of subdivision (b).

(k) As used in this section, the following definitions apply:

(1) "Covered employer" means any employer for which an average of 50 or more employees per week perform work for compensation within the area where the ordinance adopted pursuant to this section operates. In determining the number of employees performing work for an employer during a given week, only employees performing work on a full-time basis shall be counted.

(2) "Covered employee" means an employee who performed at least an average of 20 hours of work per week within the previous calendar month within the area where the ordinance adopted pursuant to this section operates.

(3) "District" means the Bay Area Air Quality Management District.

(4) "Commission" means the Metropolitan Transportation Commission.

SEC. 5. *The heading of Division 1 (commencing with Section 66500) is added to Title 7.1 of the Government Code, to read:*

DIVISION 1. Metropolitan Transportation Commission

~~SEC. 5.~~**SEC. 6.** Section 66516 of the Government Code is amended to read:

66516. (a) (1) The commission shall be responsible for implementing a seamless transit rider experience across the region. To implement this responsibility, the commission shall adopt, and update as necessary, rules and regulations to promote the coordination of fares, including fare payment methods and transit fare integration, schedules, mapping and wayfinding, real-time transit information, and other customer-facing operating policies that would benefit from a regional approach for all public transit agencies within its jurisdiction.

(2) It is the intent of the Legislature that the commission's rules and regulations adopted pursuant to paragraph (1) be based on the central goal of increasing transit ridership by improving the customer experience of riding public transit in the San Francisco Bay area and creating a seamless experience across all public transit agencies providing service in the commission's jurisdiction.

(3) The commission shall require every system to enter into a joint fare revenue sharing agreement with connecting systems consistent with the commission's rules and regulations.

(b) Notwithstanding any other law, each public transit agency within the region shall comply with the commission's rules and regulations adopted pursuant to subdivision (a) as a condition of receiving any of the following funds:

(1) Any funds allocated pursuant to Sections 99313 and 99314 of the Public Utilities Code, consistent with Section 99314.7 of the Public Utilities Code.

(2) Any funds allocated from a local transportation fund administered pursuant to Article 3 (commencing with Section 99230) of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, consistent with subdivision (b) of Section 99270.5 of the Public Utilities Code.

(3) Any funds allocated pursuant to Division 2 (commencing with Section 66538).

(c) In designating the commission with the responsibility set forth in subdivision (a), it is the intent of the Legislature that the commission implement and sustain the following outcomes:

(1) A common fare payment system for public transit agencies in the region.

(2) A universal regional transit pass that is valid on all public transit agencies in the region.

(3) An integrated transit fare structure with common definitions for adults, youth, seniors, persons with disabilities, and other categories of riders.

(4) A common fare transfer policy that strives to eliminate any extra fare for using more than one transit system on a single journey.

(5) Integrated mapping, signage, and real-time schedule information that makes transit in the region easy to navigate and convenient for both new and existing riders.

(6) Transit services in the region that are equitably planned and integrally managed as a unified, efficient, and reliable network, including interagency transfer policies and coordinating schedules at stops or station areas serving more than one public transit agency.

(7) Transit services for older adults, people with disabilities, and those with lower incomes that are coordinated efficiently throughout the region.

(8) Resources are invested to provide for the comfort and safety of transit riders.

(9) The transit network in the region uses its existing resources more efficiently and secures new, dedicated revenue to meet its capital and operating needs.

(d) Nothing in this section authorizes the commission to do any of the following:

(1) Restrict a public transit agency's access to funds not allocated by the commission.

(2) Require a public transit agency to implement policies or programs that would impede or interfere with its ability to comply with any legal obligations in transit labor contracts.

(3) Restrict the use of a public transit agency's logo outside the scope of the commission's regional mapping and wayfinding standards.

(4) Require that a public transit agency modify the schedule or route of a specific local route that the transit agency and the commission do not identify as primarily serving regional transit service.

(e) (1) The commission shall not require a public transit agency to be subject to a one-time or ongoing policy, or to make a one-time or ongoing expenditure, pursuant to subdivision (a) if the public transit agency adopts a finding that the policy or expenditure would require the agency to take an action that the agency determines to be unacceptable with respect to its impact on transit service, staffing, maintenance, or other specified operational or state of good repair considerations.

(2) Before adopting a finding pursuant to this subdivision, a public transit agency shall conduct an assessment that takes into consideration all funding anticipated to be available to the public transit agency in the next fiscal year, including, but not limited to, any discretionary funding that the commission identifies to help offset the cost of the proposed expenditure or policy, any growth in fare revenue anticipated as a result of the expenditure or policy, and potential adjustments to fares or fare policies the agency could make to increase revenue. The public transit agency shall develop the assessment in consultation with staff from the commission and shall present it to the commission at a public meeting in advance of adopting a finding pursuant to this subdivision.

(3) At the request of the commission, a public transit agency may be required to update its assessment conducted pursuant to paragraph (2) and make a subsequent finding in future fiscal years.

~~(d)~~

(f) It is the intent of the Legislature to enact legislation that would strengthen regional network management within the region, including the possibility of establishing a body within the commission to guide regional network management efforts.

~~(e)~~

(g) In implementing this section, each public transit agency in the region shall fulfill all applicable requirements under Title VI of the federal Civil Rights Act of 1964 (Public Law 88-352) regarding service and fare changes.

~~(f)~~

(h) (1) The commission shall submit a report to the Legislature on or before January 1, 2026, and each year thereafter, on the status of the outcomes described in subdivision (c) and the status of transit ridership in the region. The

commission shall submit the annual report to the Legislature in compliance with Section 9795.

(2) The commission shall also post the annual report described in paragraph (1) on its internet website.

~~(g)~~

(i) For purposes of this section, "public transit agency" has the same meaning as "STA-eligible operator," as defined in Section 99312.2 of the Public Utilities Code.

~~SEC. 6. The heading of Division 1 (commencing with Section 66500) is added to Title 7.1 of the Government Code, to read:~~

~~1. Metropolitan Transportation Commission~~

~~SEC. 7. Division 2 (commencing with Section 66538) is added to Title 7.1 of the Government Code, to read:~~

DIVISION 2. Taxing Authority and Transportation Funding

CHAPTER 1. Definitions

66538. For purposes of this division, the following definitions apply:

(a) "Commission" means the Metropolitan Transportation Commission created pursuant to Section 66502.

(b) "Public transit agency" has the same meaning as "STA-eligible operator," as defined in Section 99312.2 of the Public Utilities Code.

(c) "San Francisco Bay area" has the same meaning as "region," as defined in Section 66502.

CHAPTER 2. Special Taxes

66538.20. (a) The commission, either directly or through a qualified voter initiative, may raise and allocate new revenue through all of the following funding mechanisms:

(1) A retail transactions and use tax, as provided in Section 66538.22.

(2) A regional payroll tax, as provided in Section 66538.24.

(3) A parcel tax, as provided in Section 66538.26.

(4) A regional vehicle registration surcharge, as provided in Section 66538.28.

(b) Any funding mechanism or combination of funding mechanisms authorized pursuant to subdivision (a) that requires voter approval pursuant to the California Constitution may be placed on the ballot in all or a subset of the nine counties in the San Francisco Bay area. A measure placed on the ballot in a subset of those nine counties shall apply only in those counties in which the measure was submitted to the voters.

(c) In addition to the procedures set forth in Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code, if an ordinance containing a tax authorized by this chapter is proposed by an initiative petition, the initiative shall require the proceeds of the tax to be expended consistent with Chapter 4 (commencing with Section 66538.40).

66538.22. (a) The commission ~~may~~ *may, either directly or through a qualified voter initiative,* impose a retail transactions and use tax ordinance applicable in the San Francisco Bay area in accordance with this division and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

(b) The commission, in the ordinance, shall state the nature of the tax to be imposed, shall provide the tax rate or the maximum tax rate, shall specify the period during which the tax will be imposed, and shall specify the purposes for which the revenue derived from the tax will be used. The tax rate shall be in $\frac{1}{4}$ percent increments.

(c) Notwithstanding Section 7251.1 of the Revenue and Taxation Code, the tax rate authorized pursuant to this section shall not be considered for purposes of the combined rate limit established by Section 7251.1 of the Revenue and Taxation Code.

(d) Any transactions and use tax ordinance adopted pursuant to this chapter shall be operative on the first day of the first calendar quarter commencing more than 110 days after adoption of the ordinance.

(e) Before the operative date of the ordinance, the commission shall contract with the California Department of Tax and Fee Administration to perform all functions incidental to the administration and operation of the ordinance.

66538.24. (a) The commission may, *either directly or through a qualified voter initiative*, by ordinance, impose a tax on every employer in the San Francisco Bay area, except an employer defined by Section 676, 684, or 685 of the Unemployment Insurance Code, at a percentage, as determined by the commission, of wages paid to an individual.

(b) If the commission acts pursuant to the authorization in subdivision (a), the commission shall contract with the Employment Development Department to perform all functions incidental to the administration and operation of the tax.

(c) The tax shall be collected in the same manner and at the same time as any contributions required under Sections 977 and 977.5 of the Unemployment Insurance Code, except as provided in this section.

66538.26. (a) Subject to Section 4 of Article XIII A of the California Constitution, the commission ~~may~~ *may, either directly or through a qualified voter initiative*, impose, by ordinance, a parcel tax within the San Francisco Bay area pursuant to the procedures established in Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, Chapter 3 (commencing with Section 66538.30), and any other applicable procedures provided by law.

(b) For purposes of this section, "parcel tax" means a special tax imposed upon a parcel of real property at a rate that is determined without regard to that property's value.

(c) The commission shall provide notice of any parcel tax imposed pursuant to this section in the manner specified in Section 54930.

(d) The parcel tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes.

(e) A parcel tax levied pursuant to this section shall be administered in the following manner:

(1) Taxes collected shall be deposited into a separate fund, which shall be established in the treasury of each county and used only as prescribed by this division.

(2) The county shall transfer moneys from the fund to the commission periodically as promptly as feasible. The transmittals shall be made at least twice in each calendar quarter.

(3) The county may deduct incremental costs associated with administering any taxes approved pursuant to this section from the portion transferred to the commission pursuant to paragraph (2).

66538.28. (a) The commission may, *either directly or through a qualified voter initiative*, by ordinance, impose a regional vehicle registration surcharge on each motor vehicle registered within the San Francisco Bay area. The commission shall not propose a measure to the electors to approve a surcharge pursuant to this section before January 1, 2030.

(b) The commission may determine the rate of the regional vehicle registration surcharge subject to all of the following requirements:

(1) The surcharge shall be paid on an annual basis and shall be collected by the Department of Motor Vehicles at the same time and same manner as the vehicle registration pursuant to Section ~~9250.3~~ 9250 of the Vehicle Code.

(2) The amount of the surcharge shall be based on the market value of the vehicle, as determined by the Department of Motor Vehicles pursuant to Sections 10753, 10753.2, and 10753.5 of the Revenue and Taxation Code, using the same vehicle ranges set forth in the schedule established pursuant to Section 11052 of the Revenue and Taxation Code.

(3) The surcharge amount applicable to each vehicle range in the schedule described in paragraph (2) shall be set in amounts that increase based on the increasing value of each vehicle range.

(4) Beginning one year after an ordinance imposing a surcharge is approved by the voters, the amount of the surcharge in each vehicle market range shall be adjusted in an amount equal to the increase in the California Consumer Price Index for the prior year, as calculated by the Department of Finance, with amounts equal to or greater than fifty cents (\$0.50) rounded to the highest whole dollar. The incremental change shall be added to the associated fee rate for that year.

(c) If an ordinance imposing a regional vehicle registration surcharge is approved by the voters pursuant to Chapter 3 (commencing with Section 66538.30), the surcharge shall apply to the original vehicle registration occurring on or after

six months following the adoption of the ordinance by the voters and to a renewal of registration with an expiration date on or after that six-month period.

CHAPTER 3. Election Procedures

66538.30. (a) If the commission, either directly or through qualified voter initiative, proposes a measure pursuant to Chapter 2 (commencing with Section 66538.20) that requires voter approval pursuant to the California Constitution, the board of supervisors of the county or counties in which the commission has determined to place the measure on the ballot shall call a special election on the measure. The special election shall be held no sooner than November 2026 and shall be consolidated with the next regularly scheduled statewide election. The measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Articles XIII A, XIII C, and XIII, or Article XVI, of the California Constitution, as applicable.

(b) For the purpose of placement of a measure on the ballot, the commission is a district, as defined in Section 317 of the Elections Code. Except as otherwise provided in this section, a measure proposed by the commission that requires voter approval shall be submitted to the voters of the counties, as determined by the commission, in accordance with the provisions of the Elections Code applicable to districts, including Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code.

(c) Notwithstanding any provision of the Elections Code, the legal counsel for the commission shall prepare an impartial analysis of the measure. Each county included in the measure shall use the election materials provided by the commission, including the exact ballot question, impartial analysis, and full text of the ballot measure for inclusion in the county voter information guide.

(d) If two or more counties included in the measure are required to prepare a translation of ballot materials into the same language other than English, the county that contains the largest population, as determined by the most recent federal decennial census, among those counties that are required to prepare a translation of ballot materials into the same language other than English shall prepare the translation, or authorize the commission to prepare the translation, and that translation shall be used by the other county or counties, as applicable.

(e) Notwithstanding Section 13116 of the Elections Code, the elections officials of the counties where the measure will appear on the ballot shall mutually agree to use the same letter designation for the measure.

(f) The county clerk of each county shall report the results of the special election to the commission. If the approval threshold required by the California Constitution at the time *of* the election is achieved, the measure shall take effect in the counties in which the measure appeared on the ballot within the timeframe specified in the measure.

(g) (1) Notwithstanding Section 10520 of the Elections Code, for any election at which the commission, either directly or through qualified voter initiative, proposes a measure pursuant to subdivision (a) of Section 66538.20 that would generate revenues, the commission shall reimburse each county in which that measure appears on the ballot only for the incremental costs incurred by the county elections official related to submitting the measure to the voters with proceeds from the measure, or if the measure fails, with any eligible funds provided by the commission or other public or private entity.

(2) For purposes of this subdivision, "incremental costs" includes both of the following:

(A) The cost to prepare a translation of ballot materials into a language other than English by any county, as described in subdivision (d).

(B) The additional costs that exceed the costs incurred for other election races or ballot measures, if any, appearing on the same ballot in each county in which the measure appears on the ballot, including both of the following:

(i) The printing and mailing of ballot materials.

(ii) The canvass of the vote regarding the measure pursuant to Division 15 (commencing with Section 15000) of the Elections Code.

(h) If the voters approve new revenues pursuant to this section, the commission shall establish an independent oversight committee within six months of the effective date of the tax increase to ensure that any revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Chapter 4 (commencing with Section 66538.40). The committee may be consolidated with the oversight committee established pursuant to subdivision (h) of ~~section~~ **Section** 30923 of the Streets and Highways Code. Each representative shall be appointed by the applicable county board of supervisors. The oversight committee may request any documents from the commission to assist the committee in performing its functions.

CHAPTER 4. Expenditures

~~66538.40.(a) Except as provided in subdivision (c), revenues generated pursuant to Chapter 2 (commencing with Section 66538.20) shall only be used to fund any of the following transportation improvements in the San Francisco Bay area:~~

~~(1) Investments that support transit transformation, including all of the following:~~

~~(A) Sustaining, expanding, and improving transit service for current and future transit riders:~~

~~(B) Accelerating customer-focused initiatives outlined in the 2020 Bay Area Transit Transformation Action Plan or successor plan adopted by the commission:~~

~~(C) Transit service improvements that San Francisco Bay area transit riders or residents identify as high-priority, including safety, cleanliness, and first-mile and last-mile connectivity:~~

~~(D) Zero-emission transit vehicles and infrastructure:~~

~~(2) Investments that support safe streets, including investments to transform local roads to support safety, equity, and climate goals, including through bicycle and pedestrian infrastructure investments, safe routes to transit, other safety enhancements, and pothole repair:~~

~~(3) Investments that support connectivity, including mobility improvements that close gaps and relieve bottlenecks in the transportation network in a climate-neutral manner:~~

~~(4) Investments that support climate resilience, including planning, design, and construction activities that protect transportation infrastructure and nearby communities from rising sea levels, flooding, wildfires, and extreme heat:~~

~~(b)(1) The commission shall annually allocate a minimum of seven hundred fifty million dollars (\$750,000,000) of the revenues generated pursuant to Chapter 2 (commencing with Section 66538.20) to fund investments consistent with the purposes set forth in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (a), including, without limitation, for payment of all indebtedness incurred and bonds issued pursuant to Chapter 5 (commencing with Section 66538.50), and the related costs set forth in that chapter:~~

~~(2) Notwithstanding any other law, the allocation made pursuant to paragraph (1) shall not impair, limit, or otherwise affect payment of any indebtedness incurred or bonds issued pursuant to Chapter 5 (commencing with Section 66538.50), and the related costs set forth in that chapter:~~

~~(c) Notwithstanding subdivision (a), the commission may allocate revenues generated pursuant to Chapter 2 (commencing with Section 66538.20) to the Transportation Agency for deposit into the Bay Area Transit Consolidation Technical Assistance Fund. The revenues allocated pursuant to this subdivision shall be used for the purposes specified in subdivision (d) of Section 13978.9:~~

~~(d) It is the intent of the Legislature to enact legislation that would clarify roadway eligibility criteria for revenues generated pursuant to Chapter 2 (commencing with Section 66538.20), including potential criteria around roadway capacity increases:~~

~~(e) It is the intent of the Legislature that the commission prioritize the following focus areas when distributing revenues generated pursuant to Chapter 2 (commencing with Section 66538.20):~~

~~(1) Fund the operations of public transit agencies, including through providing resources to address operating shortfalls and ensuring existing resources are maintained and used effectively. In implementing this paragraph, the commission should prioritize the following:~~

~~(A) Maintaining transit service for riders who rely on transit as their primary mode of transportation:~~

~~(B) Prioritizing sustaining services used by the greatest number of transit riders:~~

~~(2) Enhance frequency of transit service and areas served where needed and financially sustainable:~~

~~(3) Create a seamless and convenient San Francisco Bay area transit system that attracts far more riders than the number of riders that used that system before January 1, 2025, by improving public safety on transit and implementing the 2020 Bay Area Transit Transformation Action Plan.~~

~~(4) Make it safer and easier for people of all ages and abilities to get to where they need to go by preserving and enhancing access for all transportation system road users, including people walking, biking, and wheeling.~~

~~(f)(1) A public transit agency shall maintain its existing commitment of local funds to transit operations in order to be eligible for an allocation of funds approved by the voters pursuant to Chapter 3 (commencing with Section 66538.30). In order to be eligible for funding pursuant to this section, a public transit agency shall verify to the commission that it shall not supplant any sources of its operating revenue used for transit operations as reported to the Controller in the most recent fiscal year pursuant to Section 99243 of the Public Utilities Code before the election approving the revenues imposed pursuant to Chapter 2 (commencing with Section 66538.20).~~

~~(2) Notwithstanding paragraph (1), a transit agency may reduce the amount of funding contributed towards their operating budget in proportion to any reduction in operating costs.~~

~~(g) In addition to the requirement set forth in subdivision (f), in order to be eligible for an allocation of funds approved by the voters pursuant to Chapter 3 (commencing with Section 66538.30), a public transit agency shall be in compliance with the commission's rules and regulations adopted pursuant to Section 66516.~~

~~(h) The commission may retain, for its cost in administering this chapter, an amount not to exceed 1 percent of the revenues allocated by the commission.~~

~~(i) It is the intent of the Legislature to enact legislation that would require the commission to consider need and geographic balance in distributing regional transportation revenues.~~

66538.40. (a) Revenues generated pursuant to Chapter 2 (commencing with Section 66538.20) shall only be used to fund transportation improvements in the San Francisco Bay area, consistent with subdivision (c).

(b) (1) Revenue measure expenditures shall reflect an equitable allocation of revenues throughout the counties that participated in the election approving the tax measure with not less than 70 percent of the revenues generated in each county being invested in projects and programs that benefit that county, including transit operations funding for transit agencies that serves riders of that county, over each five-year period that the tax is operative.

(2) The commission shall prepare and adopt a calculation at least once every two years to ensure the allocation of funds pursuant to this chapter complies with paragraph (1).

(c) The commission shall annually allocate revenues generated pursuant to Chapter 2 (commencing with Section 66538.20) in a manner that achieves the following shares and that is consistent with the following requirements:

(1) Forty-five percent for investments that support transit transformation, as follows:

(A) For purposes of this chapter, transit transformation investments shall include all of the following:

(i) Sustaining, expanding, and improving transit service for current and future transit riders.

(ii) Accelerating customer-focused initiatives outlined in the 2021 Bay Area Transit Transformation Action Plan or any successor plan adopted by the commission.

(iii) Developing and implementing customer-focused improvements, including, but not limited to, safety and cleanliness enhancements.

(iv) Zero-emission transit vehicles and infrastructure.

(B) The commission shall prioritize the following in allocating funds that support transit transformation:

(i) For the first five-year period of the tax, assisting transit operators in preventing service cuts.

(ii) After the end of the period described in clause (i), sustaining, expanding, and improving transit service for current and future transit riders, including through implementing the 2021 Bay Area Transit Transformation Action Plan and any successor plan adopted by the commission.

(C) The commission shall allocate no less than 40 percent of the total revenues required to be allocated pursuant to this paragraph to public transit agencies for investments that support transit transformation in accordance with the following:

(i) The commission shall allocate the revenues made available pursuant to this subparagraph by county based on the share of the revenue generated in each county.

(ii) A public transit agency shall be eligible to request an apportionment from the allocation for each county pursuant to clause (i) in which it provides service.

(iii) The commission shall determine the amount to be apportioned to each public transit agency that requests an apportionment consistent with subparagraph (E) and shall update that apportionment at least once every two years.

(D) After allocating funds pursuant to subparagraph (C), the commission shall use any remaining funds available under this paragraph for investments that support transit transformation.

(E) In allocating funds pursuant to subparagraphs (C) and (D), the commission shall ensure that all of the following conditions are met:

(i) Not less than twenty-five million dollars (\$25,000,000) annually shall be apportioned to each public transit agency that meets either of the following ridership thresholds:

(I) The public transit agency provides more than 5,000,000 unlinked passenger trips per year.

(II) The public transit agency carries riders more than 25,000,000 passenger miles per year.

(ii) Not less than ten million dollars (\$10,000,000) annually shall be apportioned to small public transit agencies in counties where those small public transit agencies provide a combined 3,000,000 or greater unlinked passenger trips per year.

(iii) Not less than five million dollars (\$5,000,000) annually shall be apportioned to small public transit agencies in each county with small public transit agencies providing less than 3,000,000 unlinked passenger trips per year.

(iv) The amounts specified in clauses (i) to (iii), inclusive, shall be adjusted at least once every five years in proportion to the rate of increase in revenues during the years preceding the adjustment.

(v) For the purposes of this subparagraph, "small public transit agency" means a public transit agency that does not meet the service threshold described in clause (i).

(2) Not less than 25 percent for investments that support safe streets, as follows:

(A) Eligible investments shall include projects to transform local streets and roads to support safety, social equity, and climate goals, including, but not limited to, any of the following projects:

(i) Enhancements to pedestrian safety on sidewalks, crosswalks, and midblock segments with an emphasis on improvements near community facilities such as schools, business districts, and shopping areas.

(ii) Modifications to intersections, including adjustments to signal timing, designed to slow vehicle speeds and reduce conflicts between vehicles and vulnerable road users.

(iii) Safety and accessibility improvements to transit stops, including the cost of relocating them.

(iv) Street surface repair and raised roadway treatments to reduce vehicle speeds.

(v) Improvements to drainage and stormwater infrastructure.

(B) Of the funds described in this paragraph, the commission shall allocate all of the revenues generated in each county to the applicable county transportation authority established pursuant to Division 12.5 (commencing with Section 131000) of the Public Utilities Code for expenditure consistent with subparagraph (A). If a county transportation authority has not been established in a county, the commission shall instead allocate the revenues to the congestion management agency for that county.

(3) Not less than 15 percent for investments that support connectivity, as follows:

(A) Eligible investments shall include highway, transit, and rail mobility projects that close gaps and relieve bottlenecks in the existing transportation network in a climate-neutral manner, resilience improvements that protect transportation infrastructure from climate-fueled natural hazards, and transportation safety improvements, including, but not limited to, grade separations.

(B) The commission shall ensure revenues generated in each county shall be invested over a ____ year period in projects and programs that benefit that county.

(C) A capital project funded pursuant to this paragraph shall be included in, or determined by the commission to be consistent with, a sustainable communities strategy adopted pursuant to Section 65080.

(4) Up to 15 percent for investments eligible under paragraph (1), (2), or (3). These funds shall be used to do any of the following:

(A) Ensure the minimum county benefit threshold described in subdivision (b) is met or exceeded.

(B) Assist public transit agencies in preventing service cuts and increasing transit ridership, including, but not limited to, by funding implementation of the 2021 Bay Area Transit Transformation Action Plan and any successor plan adopted by the commission.

(C) Invest in other regional priorities.

(d) Notwithstanding subdivision (c), the commission may retain, for its cost in administering this chapter, an amount not to exceed 1 percent of the revenues available after paying the administrative costs associated with the collection of the revenues incurred by state agencies or local jurisdictions.

(e) (1) (A) In order to be eligible for funding pursuant to this section, a public transit agency shall verify to the commission that it will maintain its expected level of funding for operations and shall not supplant any sources of operating revenue under its control or fund sources allocated by the commission that were used for transit operations in the preceding three fiscal years.

(B) The expected level of funding for purposes of this subparagraph, which shall be referred to as the maintenance of effort, shall be calculated using the public transit agency's average discretionary operating expenditures for the preceding three fiscal years, two years in arrears as reported to the Controller in its annual report submitted pursuant to Section 99243 of the Public Utilities Code.

(2) Notwithstanding paragraph (1), a transit agency may reduce the amount of funding contributed towards its operating budget in proportion to any reduction in operating costs or reduction in operating revenue based on factors outside the control of the transit agency, including, but not limited to, the expiration of a voter-approved revenue source or the determination based on a statistically valid poll that an expiring ballot measure lacks sufficient support to warrant placement on the ballot.

(3) A transit agency may request that the commission grant an exception to the requirements of this subdivision for the purpose of transferring operating funds to state of good repair needs for assets owned and operated by the transit agency or to cover the cost of compliance with a state or federal law or regulation.

(f) In addition to the requirement set forth in subdivision (e), in order to be eligible for an allocation of funds approved by the voters pursuant to Chapter 3 (commencing with Section 66538.30), a public transit agency shall be in compliance with the commission's rules and regulations adopted pursuant to Section 66516.

CHAPTER 5. Bonds

66538.50. The commission may incur indebtedness and issue bonds and other securities as follows:

(a) The commission may incur indebtedness and issue securities of any kind or class, and may renew the same, if that indebtedness, howsoever evidenced, is payable solely from revenues of the commission as specified in the indenture, trust agreement, note, bond, lease, loan agreement, or other agreement or evidence of indebtedness relating to those securities.

(b) (1) The commission may from time to time issue its negotiable bonds, notes, warrants, debentures, or other securities, hereinafter collectively called "bonds" for purposes of this section, for any purpose specified in this division.

(2) In anticipation of the sale of the bonds as authorized by this chapter, the commission may issue negotiable bond anticipation notes and may renew the same from time to time. These bond anticipation notes may be paid from the proceeds of sale of the bonds of the commission in anticipation of which they were issued. Bonds, notes, and other

agreements relating to those bonds or notes, hereinafter collectively called "bond anticipation notes" for purposes of this section, and the resolution or resolutions authorizing the same may contain any provisions, conditions, or limitations that a bond, agreement relating to that bond, or bond resolution of the commission may contain, except that the bond anticipation note shall mature at a time not exceeding three years from the date of issue or any renewal.

(c) At any time that the commission desires to issue bonds or bond anticipation notes, it shall adopt a resolution by two-thirds vote of all members of the commission specifying all of the following:

(1) The purposes for which the bonds or bond anticipation notes are to be issued, which may include all costs and estimated costs incidental to, or connected with, the accomplishment of those purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant and other fees, bond and other reserve funds, credit or liquidity enhancement costs, working capital, bond interest estimated to accrue during any construction period and for a period not to exceed the lesser of 10 years thereafter or the maturity date of the bonds or bond anticipation notes, and expenses of all proceedings for the authorization, issuance, and sale of the bonds or bond anticipation notes.

(2) The maximum principal amount of the bonds or bond anticipation notes.

(3) The maximum term for the bonds or bond anticipation notes.

(4) The maximum rate of interest to be payable upon the bonds or bond anticipation notes. That interest rate shall not exceed the maximum rate specified in Section 53531. The rate may be either fixed or variable and shall be payable at the times and in the manner specified in the resolution.

(d) The pledge of any taxes authorized under this division to the bonds or bond anticipation notes authorized under this chapter shall have priority over the use of any of those taxes for all other purposes, except to the extent that priority is expressly restricted in the resolution authorizing the issuance of the bonds or bond anticipation notes.

(e) The bonds or bond anticipation notes may be sold as the commission determines by resolution, and the bonds or bond anticipation notes may be sold at a price above or below par, whether by negotiated or public sale.

(f) (1) Refunding bonds or bond anticipation notes may be issued in a principal amount sufficient to pay all, or any part, of any of the following:

(A) The principal of the outstanding bonds or bond anticipation notes.

(B) The premiums, if any, due upon call and redemption of those bonds or bond anticipation notes before maturity.

(C) All expenses of the refunding, including any costs related to credit or liquidity support, reserves, swaps, or similar agreements.

(D) Interest on the refunding bonds or bond anticipation notes from the date of sale of the refunding bonds or bond anticipation notes to the date of payment of the bonds or bond anticipation notes to be refunded out of the proceeds of the sale of the refunding bonds or bond anticipation notes or to the date upon which the bonds or bond anticipation notes to be refunded will be paid pursuant to call or agreement with the holders of the bonds or bond anticipation notes.

(E) The interest upon the bonds or bond anticipation notes to be refunded from the date of sale of the refunding bonds or bond anticipation notes to the date of payment of the bonds or bond anticipation notes to be refunded or to the date upon which the bonds or bond anticipation notes to be refunded will be paid pursuant to call or agreement with the holder of the bonds or bond anticipation notes, and all other costs incident to that refunding.

(2) The provisions of this chapter for the issuance and sale of bonds or bond anticipation notes apply to the issuance and sale of refunding bonds or refunding bond anticipation notes.

(g) (1) Any bonds or bond anticipation notes issued pursuant to this chapter are a legal investment for all of the following:

(A) All trust funds.

(B) The funds of insurance companies, commercial and savings banks, and trust companies.

(C) State school funds.

(2) Whenever any money or funds may, by any law in existence as of January 1, 2025, or later enacted, be invested in bonds of cities, counties, school districts, or other districts within the state, those funds may be invested in the bonds issued pursuant to this chapter, and whenever bonds of cities, counties, school districts, or other districts within this state may, by any law in existence as of January 1, 2025, or later enacted, be used as security for the performance of any act or the deposit of any public money, the bonds issued pursuant to this chapter may be so used.

(3) The provisions of this division are in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect to laws relating to legal investments.

CHAPTER 6. Miscellaneous

66538.60. Any action or proceeding to contest, question, or deny the validity of a tax provided for in this division, the financing of the programs and projects contemplated by this division, the issuance of any bonds secured by those taxes, or any of the related proceedings, shall be commenced within 60 days from the date of the election at which the tax is approved. After that date, the financing of the program, the issuance of the bonds, and all related proceedings, including the collection of the taxes, shall be held valid and incontestable in every respect.

66538.62. The commission may in its own name ~~to~~ do all acts necessary or convenient for the exercise of its powers under this division and the financing of the programs, projects and purposes identified in this division, including, but not limited to, all of the following:

(a) To make and enter into contracts.

(b) To employ agents or employees.

(c) To acquire, construct, manage, maintain, lease, or operate any public facility or improvements.

(d) To sue and be sued in its own name.

(e) To apply for, accept, receive, and disburse grants, loans, and other assistance from any agency of the United States of America or of the State of California.

(f) To invest any money not required for the immediate necessities of the commission, as the commission determines is advisable.

(g) To prepare and include any necessary or helpful bond authorizations in connection with a ballot measure or other proceeding authorized under this division.

(h) To apply for letters of credit or other forms of financial guarantees in order to secure the repayment of bonds and to enter into agreements in connection with those letters of credit or financial guarantees.

SEC. 8. Section 99270.5 of the Public Utilities Code is amended to read:

99270.5. (a) In determining whether there is compliance with Section 99268.1, 99268.2, 99268.3, 99268.4, 99268.5, or 99268.9, as the case may be, by operators serving the area of the San Francisco Bay Area Rapid Transit District, excluding the City and County of San Francisco, the Metropolitan Transportation Commission may make that determination for all or some of the operators as a group, if the Metropolitan Transportation Commission finds that the public transportation services of the operators grouped are coordinated.

(b) Commencing with claims for the 2025–26 fiscal year, an operator providing service within the area under the jurisdiction of the Metropolitan Transportation Commission shall not be eligible to make a claim pursuant ~~to~~ Section 99260 unless the operator is in compliance with the commission's rules and regulations adopted pursuant to Section 66516 of the Government Code.

SEC. 9. Section 976.9 is added to the Unemployment Insurance Code, to read:

976.9. (a) (1) The department, if contracted with the commission, shall administer and collect the tax imposed pursuant to Section 66538.24 of the Government Code.

(2) The department shall administer and collect the tax in the manner set forth in Section 66538.24 of the Government Code.

(b) The department may use proceeds from the tax collected pursuant to Section 66538.24 of the Government Code to offset the costs of all functions incidental to the administration and operation of the contributions.

(c) After deducting all costs described in subdivision (b), the department shall distribute the net revenues to the commission for expenditure pursuant to Chapter 4 (commencing with Section 66538.40) of Division 2 of Title 7.1 of the Government Code.

(d) For purposes of this section, "commission" means the Metropolitan Transportation Commission created pursuant to Section 66502 of the Government Code.

SEC. 10. Section 9250.3 is added to the Vehicle Code, to read:

9250.3. (a) The department, if contracted with the commission, shall collect the regional vehicle registration surcharge imposed pursuant to Section 66538.28 of the Government Code upon the registration or renewal of registration of a motor vehicle registered in the county, except those vehicles that are expressly exempted under this code from the payment of registration fees.

(b) After deducting all costs incurred pursuant to this section, the department shall distribute the net revenues to the commission for expenditure pursuant to Chapter 4 (commencing with Section 66538.40) of Division 2 of Title 7.1 of the Government Code.

(c) The department shall collaborate with the commission to ensure the administration of the surcharge described in subdivision (a) can be facilitated after the modernization of the department's technology systems.

(d) For purposes of this section, "commission" means the Metropolitan Transportation Commission created pursuant to Section 66502 of the Government Code.

SEC. 11. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

TAB 5

Agenda Item #7c

**ACTION ITEM: Paratransit Low Income Fare Equity
(LIFE) Program Update**

Board of Directors Meeting

Wednesday April 24, 2024

**ECCTA Boardroom
801 Wilbur Avenue, Antioch, CA 94509**

Staff Report to ECCTA Board of Directors

Meeting Date: April 24, 2024
Agenda Item: Paratransit Low Income Fare Equity (LIFE) Program Update – Agenda Item #7c
Lead Staff: DeAnna Perry, Manager of Accessible Services
Approved: Rashidi Barnes, Chief Executive Officer



Background

The Contra Costa Transportation Authority (CCTA) approved the commencement of a Means Based-Fare Pilot Program in January 2023. A “Means-Based Fare Subsidy” strategy was included in the Accessible Transportation Strategic Plan (ATSP) as a priority with Measure X funding. The Means-Based Fare Pilot Program would benefit people with disabilities who are currently registered with ECCTA’s ADA Paratransit service that meet the Housing and Urban Development (HUD) extremely low-income criteria.

The pilot program was managed by CCTA and ECCTA, with the Contra Costa Crisis Center receiving program inquiries and validating program eligibility based on low-income criteria. Eligible participants received \$27.50 (10 one-way trips) of tickets per month to use for local ECCTA paratransit trips. After the 6-month pilot program ended on September 30, 2023, ECCTA started the program “in house”. The program then changed the name county wide from Means Based Fare Program to Paratransit LIFE Program. The number of Paratransit LIFE Program participants has almost tripled since last September, going from 65 participants to 195 participants.

Discussion

ECCTA has provided a single line of contact for ADA paratransit customers, with a direct phone number for LIFE, and all communication done through ECCTA. ECCTA is processing income eligibility verification, which can be completed at the same time as ADA paratransit eligibility for new customers. ECCTA is promoting and communicating the Paratransit LIFE Program with current ADA paratransit passengers and potential passengers by advertising on transit vehicles,

website, social media platform, in-person events, and monthly automated call-outs to all ADA paratransit passengers.

Financial Impact

CCTA will subsidize ECCTA for 12 months for the agreed-upon administrative costs of up to \$194,600 in Contra Costa County Measure X funds for the cost of implementing the Paratransit LIFE Program in its service area, including staff costs, paratransit tickets, and postage/material costs.

Requested Action

No action needed at this time.