

**BEFORE THE BOARD OF DIRECTORS OF THE SAN FRANCISCO BAY AREA RAPID
TRANSIT DISTRICT**

**In the Matter of Authorizing MTC's
Encumbrance of Revenue-Based State Transit
Assistance Funds to Support Implementation
of the Transit Transformation Action Plan**

Resolution No. _____

WHEREAS, MTC convened the Blue Ribbon Transit Recovery Task Force (Task Force) to respond to the disruption in transit service and transit ridership as a result of the COVID-19 pandemic; and

WHEREAS, the San Francisco Bay Area Rapid Transit District (BART or the District) had a representative on the Blue Ribbon Transit Recovery Task Force (Task Force) convened by the Metropolitan Transportation Commission (MTC); and

WHEREAS, the Task Force developed and endorsed the Transit Transformation Action Plan (Action Plan) in July 2021; and

WHEREAS, the Action Plan identifies near-term actions needed to achieve a more connected, efficient, and user-focused mobility network across the Bay Area and beyond; and

WHEREAS, the American Rescue Plan Act of 2021 (ARP) (H.R. 1319) was signed into law in response to the nationwide Coronavirus pandemic and provides supplemental appropriations for Emergency Transit Operations Assistance through the Federal Transit Administration (FTA) Section 5307 Urbanized Area and Section 5311 Rural Area formula programs; and

WHEREAS, MTC approved an ARP funding distribution policy in MTC Resolution No. 4481, which identified that a minimum of \$85 million in ARP funds “should support the implementation of certain recommendations from the Blue Ribbon Transit Recovery Task Force”; and

WHEREAS, to best position Bay Area transit operators to compete for additional FTA discretionary financial assistance, MTC distributed the reserved \$85 million in ARP funds to transit operators, including BART, and in return transit operators agreed to collectively provide an equivalent amount in alternate near-term revenue sources to implement the Action Plan and recommendations from the Task Force; and

WHEREAS, MTC has programmed \$30,908,967 of the \$85 million in ARP originally intended to support the implementation of the Action Plan to BART; and

WHEREAS, BART has agreed to provide \$30,908,967 to MTC in alternative near-term funding to support implementation of the Action Plan; and

WHEREAS, BART will fulfill a portion of its obligation to provide \$30,908,967 to MTC by providing \$30,057,637 of BART's Revenue-based State Transit Assistance (STA); and

WHEREAS, MTC is the implementing agency for the Action Plan; and

WHEREAS, MTC will facilitate the transfer of the balance of the funding commitment through the FY 2022-23 Fund Estimate, MTC Resolution No. 4504 and/or the Transit Capital Priority Program, MTC Resolution No. 4510, or successor resolutions, as the case may be; and

WHEREAS, MTC has allocated \$51,166,528 to BART in FY 2022-23 Revenue-based STA through the FY 2022-23 Fund Estimate, MTC Resolution No. 4504 in conformance with PUC Sections 99312.2 and 99314.3; and

WHEREAS, BART desires to fulfill its funding commitment to implement the Action Plan by directly encumbering \$30,057,637 in FY 2022-23 and FY 2023-24 Revenue-based STA to MTC, or \$15,028,818.50 per year;

Now therefore be it

RESOLVED, that BART requests that MTC encumber \$30,057,637 in Revenue-based State Transit Assistance (STA) to MTC to support implementation of the Action Plan; and be it further

RESOLVED, that encumbrance of \$30,057,637 in Revenue-based STA will allow for the disbursement and payment of \$30,057,637 to MTC to implement the Action Plan.