

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

STAFF REPORT

SUBJECT: Approval of Resolutions Authorizing Staff to Apply for TDA, STA, RM2 and RM3 funds for Fiscal Year 2025-2026

FROM: Tamara Edwards, Director of Finance

DATE: May 5, 2025

---

**Action Requested**

Review and approve the following resolutions:

1. Resolution 14-2025 of the Board of Directors of the Livermore Amador Valley Transit Authority authorizing the filing of a claim with the Metropolitan Transportation Commission (MTC) for Allocation of Transportation Development Act (TDA) Article 4.0, State Transit Assistance (STA), Regional Measure 2 (RM 2), and Regional Measure 3 (RM3) for Fiscal Year 2025-2026
2. Resolution 15-2025 of the Board of Directors of the Livermore Amador Valley Transit Authority Authorizing the filing of a claim with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 4.5 Funds for the Fiscal Year 2025-2026

These resolutions authorize staff to file applications with the MTC for the 2025-2026 Fiscal Year.

**Background**

Attached for your review and approval are the annual resolutions authorizing LAVTA's Executive Director (or designee) to file a claim with MTC for TDA Article 4.0, 4.5, and STA funds for Fiscal Year 2025-2026. These resolutions are required as part of MTC's annual claim submittal. The funds requested in the claim are limited to the amount allocated to LAVTA, based on a prescribed apportionment formula. On an annual basis, LAVTA is required to resolve support for the submission of applications for Regional Measure 2 and Regional Measure 3 operating assistance in connection with providing service to the BRT service. MTC has advised LAVTA that the inclusion of provisions relevant to RM2 and RM3 can be included in the TDA and STA resolutions for ease of submission.

**Discussion**

Attached to this report is the MTC staff report which accompanied their estimate and gives background information on the various funding sources and the bases for this year's estimates:

**Budget Considerations**

The next step will be to prepare a detailed capital and operating budget within the available revenues.

**Recommendation**

The Finance and Administration Committee recommends that the Board of Directors approve the Resolution 14-2025 and Resolution 15-2025 authorizing the filing of a claim with MTC for Allocation of TDA Article 4.0, 4.5, STA, RM2, and RM3 Funds for Fiscal Year 2025-2026.

**Attachments:**

1. February 26, 2025, Fund Estimate from MTC
2. Resolution 14-2025
3. Resolution 15-2025

## RESOLUTION NO. 14-2025

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY AUTHORIZING THE FILING OF A CLAIM WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4.0, STATE TRANSIT ASSISTANCE, REGIONAL MEASURE 2, AND REGIONAL MEASURE 3 FUNDS FOR FISCAL YEAR 2025-2026

**WHEREAS**, the Transportation Development Act (TDA), (Pub. Utilities Code 992200 et. seq. provides for the disbursement of funds from the Local Transportation Fund of the County of Alameda for use by eligible claimants for the purpose of providing local transit service in the cities of Dublin, Livermore and Pleasanton; and

**WHEREAS**, pursuant to the provisions of the TDA, and pursuant to the applicable rules and regulations thereunder (21 Cal Adm. Code 660 et. seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Funds shall file its claim with the Metropolitan Transportation Commission; and

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

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

**WHEREAS**, the Livermore Amador Valley Transit Authority is an eligible claimant for TDA and STA funds pursuant to PUC Section 99260 and Article 4 funds pursuant to PUC Section 99260A, as attested by the Livermore Amador Valley Authority's opinion of counsel dated April 2, 2025; and

**WHEREAS**, TDA funds from the Local Transport Fund of Alameda County and STA funds will be required by claimant in Fiscal Year 2025-2026 for transit service;

**WHEREAS**, LAVTA is an eligible sponsor of transportation project(s) in Regional Measure 2, Regional Traffic Relief Plan funds; and

**WHEREAS**, LAVTA is an eligible sponsor of transportation project(s) in Regional Measure 3, Expenditure Plan; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors as follows:

1. That the Executive Director or his designee is authorized to execute and file an appropriate TDA/STA claim together with all necessary supporting documents, with the Metropolitan Transportation Commission for allocation of TDA/STA funds in Fiscal Year 2025-2026; and be it further resolved

2. That a copy of this Resolution be transmitted to the Metropolitan Transportation Commission in conjunction with the filing of the claim; and the Metropolitan Transportation Commission be requested to grant the allocation of funds as specified herein; and be it further resolved
3. That LAVTA, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's, "Regional Measure 2 Regional Traffic Relief Plan Policies and Procedures," (MTC Resolution No. 3636, Amended April 28, 2010); and be it further resolved
4. That LAVTA, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's "Regional Measure 3 Policies and Procedures," (MTC Resolution No. 4404, Amended October 25, 2023); and be it further resolved
5. That LAVTA certifies that the project is consistent with the Regional Transportation Plan (RTP) and is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.); and be it further resolved
6. That LAVTA approves the updated Operating Assistance Proposal, attached to this resolution; and be it further resolved
7. That LAVTA approves the certification of assurances, attached to this resolution; and be it further resolved
8. That there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of LAVTA to deliver such project; and be it further resolved
9. That LAVTA indemnifies and holds harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of LAVTA, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM2 and RM3 funds; and be it further resolved
10. That LAVTA authorizes its Executive Director, or his designee to execute and submit an allocation request for operating or planning costs for Fiscal Year 2025-2026 with MTC for Regional Measure 2 funds, and Regional Measure 3 funds, for the project, purposes and amounts included in the project application attached to this resolution; and be it further resolved
11. That the Executive Director, or his designee is hereby delegated the authority to make non-substantive changes or minor amendments to the OAP as he/she deems appropriate.

**PASSED AND ADOPTED** this 5th day of May 2025.

---

Evan Branning, Chair

**ATTEST:**

---

Christy Wegener, Executive Director

**RESOLUTION NO. 15-2025**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE  
AMADOR VALLEY TRANSIT AUTHORITY AUTHORIZING THE FILING OF  
A CLAIM WITH THE METROPOLITAN TRANSPORTATION COMMISSION  
FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE  
4.5 FUNDS FOR THE FISCAL YEAR 2025-2026**

**WHEREAS**, the Transportation Development Act (TDA), Pub Util. Code 99200 et. seq. provides for the disbursement of funds from the Local Transportation Funds of the County of Alameda for use by eligible claimants for the purpose of providing local transit service in the cities of Dublin and Livermore; and

**WHEREAS**, pursuant to the provisions of the TDA, and pursuant to the applicable rules and regulations thereunder (21 Cal Adm. Code 660 et. seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Funds shall file its claim with the Metropolitan Transportation Commission; and

**WHEREAS**, TDA funds from the Local Transportation Fund of Alameda County will be required by claimant in Fiscal Year 2025-2026 for paratransit services; and

**WHEREAS**, the Livermore Amador Valley Transit Authority is an eligible claimant for TDA funds pursuant to PUC Section 99275 funds as attested by the Livermore Amador Valley Transit Authority's opinion of counsel dated April 2, 2025; and

**RESOLVED**, that the Executive Director or his/her designee is authorized to execute and file an appropriate TDA/STA claim together with all necessary supporting documents with the Metropolitan Transportation Commission for an allocation of TDA funds in Fiscal Year 2025-2026; and be it further

**NOW, THEREFORE, LET IT BE RESOLVED**, that a copy of this Resolution be transmitted to the Metropolitan Transportation Commission in conjunction with the filing of the claim; and the Metropolitan Transportation Commission be requested to grant the allocations of funds as specified herein.

**PASSED AND ADOPTED** this 5th day of May 2025.

---

Evan Branning, Chair

**ATTEST:**

---

Christy Wegener, Executive Director

**FY 2025-26 FUND ESTIMATE**  
**TRANSPORTATION DEVELOPMENT ACT FUNDS**  
**ALAMEDA COUNTY**

Attachment A  
 Res No. 4688  
 Page 2 of 19  
 5/28/2025

FY2024-25 TDA Revenue Estimate				FY2025-26 TDA Revenue Estimate						
<b>FY2024-25 Generation Estimate Adjustment</b>				<b>FY2025-26 County Auditor's Generation Estimate</b>						
1. Original County Auditor Estimate (Feb, 24)			104,539,854	13. County Auditor Estimate					90,853,416	
2. Revised Estimate (Feb, 25)			89,953,877	<b>FY2025-26 Planning and Administration Charges</b>						
3. Revenue Adjustment (Lines 2-1)			(14,585,977)	14. MTC Administration (0.5% of Line 13)				454,267		
<b>FY2024-25 Planning and Administration Charges Adjustment</b>				15. County Administration (0.5% of Line 13)				454,267		
4. MTC Administration (0.5% of Line 3)			(72,930)	16. MTC Planning (3.0% of Line 13)				2,725,602		
5. County Administration (Up to 0.5% of Line 3) <sup>4</sup>			(72,930)	17. Total Charges (Lines 14+15+16)					3,634,136	
6. MTC Planning (3.0% of Line 3)			(437,579)	18. TDA Generations Less Charges (Lines 13-17)					87,219,280	
7. Total Charges (Lines 4+5+6)			(583,439)	<b>FY2025-26 TDA Apportionment By Article</b>						
8. Adjusted Generations Less Charges (Lines 3-7)			(14,002,538)	19. Article 3.0 (2.0% of Line 18)				1,744,386		
<b>FY2024-25 TDA Adjustment By Article</b>				20. Funds Remaining (Lines 18-19)					85,474,894	
9. Article 3 Adjustment (2.0% of line 8)			(280,051)	21. Article 4.5 (5.0% of Line 20)				4,273,745		
10. Funds Remaining (Lines 8-9)			(13,722,487)	22. TDA Article 4 (Lines 20-21)					81,201,149	
11. Article 4.5 Adjustment (5.0% of Line 10)			(686,124)							
12. Article 4 Adjustment (Lines 10-11)			(13,036,363)							
<b>TDA APPORTIONMENT BY JURISDICTION</b>										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2024	FY2023-24	6/30/2024	FY2023-25	FY2024-25	FY2024-25	FY2024-25	6/30/2025	FY2025-26	FY2025-26
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/ interest) <sup>1</sup>	Outstanding Commitments <sup>2</sup>	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	7,947,155	310,327	8,257,482	(8,283,141)	0	2,007,165	(280,051)	1,701,454	1,744,386	3,445,840
Article 4.5	173,317	13,931	187,248	(4,327,294)	0	4,917,555	(686,124)	91,385	4,273,745	4,365,130
<b>SUBTOTAL</b>	<b>8,120,472</b>	<b>324,258</b>	<b>8,444,730</b>	<b>(12,610,435)</b>	<b>0</b>	<b>6,924,720</b>	<b>(966,175)</b>	<b>1,792,839</b>	<b>6,018,131</b>	<b>7,810,970</b>
Article 4										
AC Transit										
District 1	257,874	56,692	314,567	(52,098,533)	0	60,180,711	(8,396,745)	0	52,436,116	52,436,116
District 2	67,810	15,019	82,828	(13,813,874)	0	15,957,528	(2,226,482)	0	13,768,141	13,768,141
BART <sup>3</sup>	570	114	684	(87,601)	0	101,010	(14,093)	0	86,923	86,923
LAVTA	32,228,413	830,069	33,058,482	(29,636,638)	0	13,382,358	(1,867,180)	14,937,022	11,624,472	26,561,494
Union City	10,181,834	454,071	10,635,906	(3,358,323)	0	3,811,933	(531,862)	10,557,654	3,285,496	13,843,150
<b>SUBTOTAL</b>	<b>42,736,502</b>	<b>1,355,965</b>	<b>44,092,467</b>	<b>(98,994,969)</b>	<b>0</b>	<b>93,433,540</b>	<b>(13,036,363)</b>	<b>25,494,676</b>	<b>81,201,149</b>	<b>106,695,825</b>
<b>GRAND TOTAL</b>	<b>\$50,856,974</b>	<b>\$1,680,223</b>	<b>\$52,537,197</b>	<b>(\$111,605,404)</b>	<b>\$0</b>	<b>\$100,358,260</b>	<b>(\$14,002,538)</b>	<b>\$27,287,515</b>	<b>\$87,219,280</b>	<b>\$114,506,795</b>

1. Balance as of 6/30/24 is from the MTC FY2023-24 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.

2. The outstanding commitments figure includes all unpaid allocations as of 6/30/24, and FY2024-25 allocations as of 1/31/25.

3. Details on the proposed apportionment of BART funding to local operators are shown on page 15 of the Fund Estimate.

4. Unclaimed County Administration charges will be redistributed as carryover for apportionment jurisdictions.