

STAFF REPORT

DATE: May 8, 2023
TO: Sacramento Regional Transit Board of Directors
FROM: Jason Johnson, VP, Finance/CFO
SUBJ: APPROVING THE FIRST AMENDMENT TO FY23
TRANSPORTATION DEVELOPMENT ACT CLAIM AND
AUTHORIZING THE FILING OF THE FY24 TRANSPORTATION
DEVELOPMENT ACT FUNDS.

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approval of the attached Resolution will increase fiscal year 2022-23 Transportation Development Act funds (TDA) by \$15,296,260 and authorize the filing of the FY2024 TDA Claim.

FISCAL IMPACT

Approval of the TDA Claim First Amendment will increase the FY23 Capital Budget funding by \$15,296,260 for a total of \$118,482,324.

Approval of the FY24 TDA Claim will add \$28,936,889 of funding for new and existing capital projects and \$97,734,622 to the operating budget. The total FY24 TDA is expected to be \$126,671,511.

This action does not imply funding is available for the projects; however, without approval, requesting the funds is prohibited. The funds referenced above are included in the FY23 amended budget and in the proposed FY24 operating budget.

DISCUSSION

In March 2023, Sacramento Area Council of Governments (SACOG) Board of Directors approved an increase in FY23 TDA allocations to the region. This increase was based upon greater than expected sales tax revenue results and projections through the end of the fiscal year. SacRT's FY23 TDA allocation was increased by \$15,296,260 from an original allocation of \$103,186,064 to a revised allocation of \$118,482,324. SacRT Board approved the First Amendment to SacRT's Operations Budget in March 2023. Approval of this amendment is for SacRT's FY 2022-23 Capital Budget. This amendment is required for SacRT to submit a revised claim to SACOG and receive the additional available funding.

In March 2023, SACOG Board of Directors approved the FY24 TDA allocations to the region. The allocations are based on expected sales tax revenue projections through the end of fiscal year 2024. SacRT's TDA Claim allocation for fiscal year 2024 is \$126,671,511. Approval of this Resolution is required for SacRT to submit a claim to SACOG and receive the FY 2024 funding. Copies of the staff prepared TDA claims have been included in Attachments 1 and 2.

CLAIM CHECKLIST

Please check the following, items as being either included with the attached TDA claim package or are on file at SACOG.

Item	Claimant	Attached	On File
TDA-1 Annual Transportation Development Claim	All claimants	Yes	N/A
TDA-2 Project and Expenditure Plan (for the current fiscal year and the prior fiscal year)	All claimants	Yes	N/A
TDA-3 Status of Previously Approved Projects	All claimants	Yes	N/A
TDA-4 Statement of Conformance	All claimants	Yes	N/A
TDA-5 TDA Claim Certification	All claimants	Yes	N/A
Resolution by governing body authorized the claim	All claimants		N/A
If Claimant is a Transit Agency			
CHP Safety Compliance Report (Completed within the past 13 months)	Claimants for transit service	Yes	N/A
Adopted or proposed budget for the fiscal year of the claim	Claimants for transit service	Yes	N/A
Signed copy of transit service contract	Claimants for transit service	N/A	Yes
Area wide transfer agreement, resolution	Claimants that allow inter-system trans	N/A	N/A
Information establishing eligibility under efficiency criteria	Claimants for revenue-based STA funds	N/A	N/A
Certification that claim is consistent with Capital Improvement Program	Claimants for bike/Ped facilities	N/A	N/A
Compliance with PUC 99155 and 99155.5	Claimants for transit service	Yes	N/A
STA Operator Qualifying Criteria calculation based on section 99314.6	Claimants for transit service	Yes	N/A
Copy of Ten-Year Capital and Operations Program	Claimants for transit service	Yes	N/A

TDA-1
TRANSPORTATION DEVELOPMENT ACT CLAIM

TO: Sacramento Area Council of Government
1415 L Street, Suite 300
Sacramento, CA 95814

FROM: Claimant: Sacramento Regional Transit District
Address: PO Box 2110
City: Sacramento Zip Code: 95812-2110
Contact Person: Carol Cherry, Senior Grants Analyst
Phone: 916-508-2014 Email: ccherry@sacrt.com

The above claimant hereby requests, in accordance with authority grant under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF	Article 4 - \$89,086,134	(FY 2022/2023)
	Article 8 - \$ 2,857,462	(FY 2022/2023)
STA	Article 4, Section 99313 - \$18,650,252	(FY 2022/2023)
	Article 4, Section 99314 - \$7,451,518	(FY 2022/2023)
STA-SGR	Article 4, Section 99313 - \$ 2,353,931	(FY 2022/2023)
	Article 4, Section 99314 - \$ 940,489	(FY 2022/2023)

(Specify STA-Regular and/or SGR)

Submitted By: _____
Printed Name: Henry Li
Title: General Manager/CEO
Date: _____

TDA - 2
ANNUAL PROJECT AND EXPENDITURE PLAN

Claimant: Sacramento Regional Transit District	Fiscal Year: 2022-2023 REVISED
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Project Title and TDA Article Number	SOURCES OF FUNDING										
	TDA -LTF	TDA-STA Regular	RDA-STA SGR	Transit Fares	Measure A	Road Fund	Developer Fees/ Const. Tax	Federal/ State	Other	Capital Carryover	Total
General Public Transit Service Article 4, Section 99260 (a)	\$89,086,134			\$15,500,000	\$67,215,808	\$0	\$0	\$53,577,688	\$5,890,000		\$231,269,630
Operating Cost of Public Transportation System Article 4 Section 6730(a)											\$0
Preventive Maintenance of Bus and Rail											\$0
Capital Requirements of Public Transit System Article 4, Section 6730 (b)		\$26,101,770	\$3,294,420				\$3,813,604	\$202,652,447		\$225,688,717	\$461,550,958
SACOG Planning	\$2,857,462										\$2,857,462
Total Request	\$91,943,596	\$26,101,770	\$3,294,420	\$15,500,000	\$67,215,808	\$0	\$3,813,604	\$256,230,135	\$5,890,000	\$225,688,717	\$695,678,050

TDA – 3

Instructions: Describe the status of all prior fiscal year TDA claim project and any projects from previous years, which are still active.

- Include both operating and capital Projects
- Approved amounts should be as specified in TDA Claims approved by SACOG
- Expenditures should be to date
- Project Status Should be either “Complete” or “Active”

See attached PDF document “FY23 Status of Previously Approved Projects”

TDA-4
STATEMENT OF CONFORMANCE

Form TDA-4 Must be completed and signed by the Administrative Office of the submitting claimant.

The **Sacramento Regional Transit District** hereby certifies that the Transportation Development Act claim for fiscal years (s) FY 2022-2023 in the amount of **\$89,086,134** (LTF), **\$26,101,770** (STA-Regular) and **\$3,294,420** (STA-SGR) for a total of **\$118,482,324** conforms to the requirements of the Transportation Development Act and applicable rules and regulations. (See Attachment A for listing of conformance requirements).

Certified by: _____

Printed Name: Henry Li_____

Title: General Manager/CEO_____

Date: _____

TDA – 5
TDA CLAIM CERTIFICATION FORM

I, Jason Johnson, VP, Finance/CFO (Acting) for the **Sacramento Regional Transit District**, do hereby attest, as required und the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- a) The attached budget or proposed budget for FY 2022-2023
- b) The attached certification by the Department of the California Highway Patrol verifying that **Sacramento Regional Transit District** is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.
- c) The estimated amount of **Sacramento Regional Transit District’s** maximum eligibility for moneys from the local transportation fund and the state assistance fund, as defined in Section 6634, is **\$118,482,324.**

(signature) Chief Financial Officer

Jason Johnson, VP, Finance/CFO
(Printed Name)

Sacramento Regional Transit District
(Agency Name)

(Date)

ATTACHMENT A
CONFORMANCE – TDA CLAIMANTS
Standard Assurances

- 1) 180-Day Certified Fiscal Audit (*Applies to all claims; SACOG administers fiscal audits for all operators in the region, with the exception of the Sacramento Regional Transit District*) - Assurance that the claimant has submitted a satisfactory independent fiscal audit, with required certification, to SACOG and to the State Controller not more than 180 days after the end of the prior fiscal year (Sections 99245 and 6664).
- 2) 90-Day Annual State Controller Report (*Applies to all transit claims*) – Assurance that claimant has submitted this report to the State Controller in conformance with the uniform system of accounts and record not more than 90 days after the end of the prior fiscal year (110 days for electronically submissions) (Section 99243). Claimant should also supply a copy of the State Controller report (SCR) to SACOG no more than 120 days after the end of the prior fiscal year.
- 3) Use of Federal Funds (*Applies to all Article 4 claims*) –
 - Claimant filing a claim for TDA funds for capital intensive projects pursuant to Section 99268.7 certifies that it has made every effort to obtain federal funding for any project which is funded pursuant to Section 99268.7.
 - Claimant qualifying for funds pursuant to Section 99268.1 and filing a claim for TDA funds in excess of the amount allowed by Section 99268 certifies that such funds are required in order to obtain maximum federal operating funds in the year such funds are claimed pursuant to Section 6633.1.
- 4) Elderly/Disabled (*Applies to all transit claims*) – That the transit operator is in compliance with Section 99155 pertaining to reduced transit fares for elderly and disabled persons and Section 99155.5 pertaining to dial-a-ride and paratransit services.
- 5) Farebox Recovery Ratio Requirements (*Applies to all transit claims*) – Claimant filing a claim for LTF or STA funds certifies that it will maintain for the project that ratio of fare revenues and local support to operating cost required under Sections 99268 (including all subparts), 99270.1, 99270.2, 99270.6, and under the “Farebox Requirements for Urbanized and Non-Urbanized Service” adopted by the SACOG Board of Directors on March 18, 1982, whichever is appropriate.

Exceptions:

- 6) 50% Expenditure Limitation (*Applies only to claims for LTF*) – Claimant certifies that it was in compliance with Section 99268 certifying that it (the claim) will not exceed 50% of the amount required to meet operating, maintenance, capital and debt service costs of the transit system after deduction of approved federal grants and STA funds estimated to be received for the system. (A claimant can receive up to 100% of capital costs for grade-separated mass transit projects under Section 99268 and

99281, for capital intensive transit-related projects under Section 99268.7. and for extension of services under Section 6619.1 and 6633.8)

- 7) Extension of Services (*Applies only to LTF claims*) - Claimant who received an allocation of LTF funds for extension of service pursuant to Section 99268.8 certifies that it will file a report of these services pursuant to Section 6633.8(b) within 90 days after close of the fiscal year in which that allocation was granted.
- 8) Retirement System (*Applies only to LTF claims*) - Claimant certifies that (1) the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system; or (2) the operator is implementing a plan approved by SACOG which will fully fund the retirement system for such officers and employees within 40 years; or (3) the operator has a private pension plan which sets aside and invests, on a current bases, funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in Section 99272 and 99273.
- 9) Maximum Use of Local Transportation Funds (*Applies only to Sacramento Regional Transit District STA claim*) - That the operator is receiving the maximum allowable amount from the Local Transportation Fund.
- 10) Part-Time Employees (*Applies only to claims for STA*) - Claimant certifies that it is not precluded by any contract entered into on or after June 28, 1979 from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license. Claimant further certifies that no person who was a full-time employee on June 28, 1979 shall have his/her employment terminated or his/her regular hours of employment, excluding overtime, reduced as a result of it employing part-time drivers or contracting with such common carriers.
- 11) Conformance with the Metropolitan (Regional) Transportation Plan (*Applies only to claims for STA*) - Claimant certifies that all of the purposes for claim expenditures are in conformance with the current Short Range Transit Plan, which is an appendix to the Metropolitan (Regional) Transportation Plan.
- 12) Full Use of Federal Funds (*Applies only to STA claims*) - Claimant certifies that it is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended.
- 13) Implementation of Productivity Improvements (*Applies only to STA claims*) - Claimant certifies that the operator has made a reasonable effort to implement the productivity improvements recommended pursuant to Section 99244.

CLAIM CHECKLIST

Please check the following, items as being either included with the attached TDA claim package or are on file at SACOG.

Item	Claimant	Attached	On File
TDA-1 Annual Transportation Development Claim	All claimants	Yes	N/A
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Resolution by governing body authorized the claim	All claimants	Yes	N/A
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Signed copy of transit service contract	Claimants for transit service	N/A	Yes
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Information establishing eligibility under efficiency criteria	Claimants for revenue-based STA funds	N/A	N/A
Certification that claim is consistent with Capital Improvement Program	Claimants for bike/Ped facilities	N/A	N/A
Compliance with PUC 99155 and 99155.5	Claimants for transit service	Yes	N/A
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Copy of Ten-Year Capital and Operations Program	Claimants for transit service	Yes	N/A

TDA-1
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TO: Sacramento Area Council of Government
1415 L Street, Suite 300
Sacramento, CA 95814

FROM: Claimant: Sacramento Regional Transit District
Address: PO Box 2110
City: Sacramento Zip Code: 95812-2110
Contact Person: Carol Cherry, Senior Grants Analyst
Phone: 916-508-2014 Email: ccherry@sacrt.com

The above claimant hereby requests, in accordance with authority grant under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF	Article 4 - \$97,734,622	(FY 2023/2024)
	Article 8 - \$ 3,134,864	(FY 2023/2024)
STA	Article 4, Section 99313 - \$14,046,407	(FY 2023/2024)
	Article 4, Section 99314 - \$ 5,710,059	(FY 2023/2024)
STA-SGR	Article 4, Section 99313 - \$ 2,313,549	(FY 2023/2024)
	Article 4, Section 99314 - \$ 940,489	(FY 2023/2024)

(Specify STA-Regular and/or SGR)

Submitted By: _____
Printed Name: Henry Li
Title: General Manager/CEO
Date: _____

TDA - 2
ANNUAL PROJECT AND EXPENDITURE PLAN

Claimant: Sacramento Regional Transit District	Fiscal Year: 2023-2024
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Project Title and TDA Article Number	SOURCES OF FUNDING										
	TDA -LTF	TDA-STA Regular	RDA-STA SGR	Transit Fares	Measure A	Road Fund	Developer Fees/ Const. Tax	Federal/ State	Other	Capital Carryover	Total
General Public Transit Service Article 4, Section 99260 (a)	\$97,734,622			\$16,500,000	\$66,723,300	\$0	\$0	\$59,866,087	\$4,365,000		\$245,189,009
Operating Cost of Public Transportation System Article 4 Section 6730(a)											\$0
Preventive Maintenance of Bus and Rail											\$0
Capital Requirements of Public Transit System Article 4, Section 6730 (b)		\$25,510,061	\$3,426,828				\$3,500,000	\$200,000,000		\$313,381,278	\$32,636,889
SACOG Planning	\$3,134,864										\$3,134,864
Total Request	\$100,869,486	\$25,510,061	\$3,426,828	\$16,500,000	\$66,723,300	\$0	\$3,500,000	\$259,866,087	\$4,365,000	\$313,381,278	\$280,960,762

TDA – 3

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Certified by: _____

Printed Name: Henry Li_____

Title: General Manager/CEO_____

Date: _____

TDA – 5
TDA CLAIM CERTIFICATION FORM

I, Jamie Adelman, VP, Finance/CFO (Acting) for the **Sacramento Regional Transit District**, do hereby attest, as required und the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- a) The attached budget or proposed budget for FY 2023-2024
- b) The attached certification by the Department of the California Highway Patrol verifying that **Sacramento Regional Transit District** is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.
- c) The estimated amount of **Sacramento Regional Transit District’s** maximum eligibility for moneys from the local transportation fund and the state assistance fund, as defined in Section 6634, is **\$97,734,622.**

(signature) Chief Financial Officer

Jason Johnson, VP, Finance/CFO
(Printed Name)

Sacramento Regional Transit District
(Agency Name)

(Date)

ATTACHMENT A
CONFORMANCE – TDA CLAIMANTS
Standard Assurances

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- 2) 90-Day Annual State Controller Report (*Applies to all transit claims*) – Assurance that claimant has submitted this report to the State Controller in conformance with the uniform system of accounts and record not more than 90 days after the end of the prior fiscal year (110 days for electronically submissions) (Section 99243). Claimant should also supply a copy of the State Controller report (SCR) to SACOG no more than 120 days after the end of the prior fiscal year.
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Exceptions:

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99281, for capital intensive transit-related projects under Section 99268.7. and for extension of services under Section 6619.1 and 6633.8)

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- 12) Full Use of Federal Funds (*Applies only to STA claims*) - Claimant certifies that it is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended.
- 13) Implementation of Productivity Improvements (*Applies only to STA claims*) - Claimant certifies that the operator has made a reasonable effort to implement the productivity improvements recommended pursuant to Section 99244.

RESOLUTION NO. 2023-05-040

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

May 8, 2023

APPROVING THE FIRST AMENDMENT TO FY23 TRANSPORTATION DEVELOPMENT ACT CLAIM AND AUTHORIZING THE FILING OF THE FY24 TRANSPORTATION DEVELOPMENT ACT FUNDS.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board of Directors hereby authorizes the General Manager/CEO to file a claim with the Sacramento Area Council of Governments (SACOG) for Transportation Development Act funds in the amount not to exceed SACOG's funding apportionments for SacRT for FY 2024.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary