



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

L-2

For the meeting of: November 10, 2015

Date: October 1, 2015

To: Board of Supervisors

From:  Thomas K. Mattson, Public Works Director

Subject: Unmet Transportation Needs Public Hearing for FY 2016-17

RECOMMENDATION: That the Board of Supervisors:

1. Open a public hearing and receive the staff report and allow the public to comment on transit needs in the unincorporated areas of the County.
2. Close the public hearing and direct that the Clerk of the Board to forward an action summary of the meeting to the Humboldt County Association of Governments (HCAOG) for inclusion in their hearing.

SOURCE OF FUNDING: N/A

DISCUSSION: The purpose of this hearing is to provide an opportunity for representatives of various agencies and the general public to request specific transit services in the unincorporated areas of Humboldt County. Ultimately, a finding by the HCAOG board will have to be made as to whether there are unmet transit needs that are reasonable to meet.

Unmet transit needs may be found to be *reasonable to meet* by means of the following criteria:

1. Pursuant to the requirements of Transportation Development Act (TDA) Local Transportation Fund (LTF) Statutes (Public Utilities Code Section 99401.5 (c), a determination of needs that are

Prepared by Thomas K. Mattson/jg

CAO Approval 

REVIEW:

Auditor  County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other _____

PREVIOUS ACTION/REFERRAL:


Board Order No. L-3

Meeting of: October 7, 2014

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Sundberg Seconded by Supervisor Lovelace
 Ayes Sundberg, Lovelace, Fennell, Bohn
 Nays _____
 Abstain _____
 Absent Bass

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Nov. 10, 2015
 By: 
 Kathy Hayes, Clerk of the Board

reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads, for the allocation of LTF. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.

2. If a new, expanded or revised transit service fails to meet ridership or cost effectiveness standards after one full year of operation, reasonable efforts will be made and documented to rectify the situation during the following year of operation. If service has not met performance standards during the period required by the Transportation Development Act Statutes, and efforts to improve service productivity have been documented by the operator to be unsuccessful, the service will be subject to termination as not being reasonable to meet. Efforts to rectify the underperforming ridership may include but are not limited to increased outreach/marketing of service (newspaper placement), collaboration between organizations or agencies that work with potential ridership of the service and surveys documenting ways in which the service could be improved or made more attractive.
3. Evaluation of potential unmet needs shall be conducted by the LTF claimant that is expected to provide the new, expanded, or revised transit service. The LTF claimant shall review, evaluate, and indicate that the service is operationally feasible, including:
 - a. Forecast of anticipated ridership if service is provided.
 - b. Estimate of capital and operating cost for the provision of such services.
 - c. Determination if there are adequate roadways and selected turnouts to safely accommodate transit vehicles.
 - d. Determination that vehicles are currently available in the marketplace.
 - e. Determination if potential transit service duplicates existing services.
4. An unmet transit need may be determined to be unreasonable to meet because it is not feasible to initiate service within the coming fiscal year, due to the time required for vehicle acquisition, planning, or similar timing factors, or because additional information is needed to determine whether or not the unmet transit need is reasonable to meet. An unmet transit need shall not be determined unreasonable to meet more than once on these grounds.

The Humboldt County Association of Governments, as the Regional Transportation Planning Agency, is required to make the finding that there are no unmet transit needs which are reasonable to meet prior to approving fund claims for street and road purposes. This process is required by the TDA-LTF.

In a letter dated September 28, 2015, HCAOG is requesting that the public hearings for FY 2016-17 be conducted and completed prior to November 30, 2015. This will provide LTF claimants sufficient time to evaluate potential unmet needs findings and consider any additional allocations in the new fiscal year's budget proposal.

FINANCIAL IMPACT: LTF is allocated following a priority funding order namely: (1) TDA Administration, (2) Planning & Programming, (3) Pedestrian & Bicycle Facilities, (4) Community Transit Service Agency, (5) Public Transit, and (6) Miscellaneous Allocations which include local streets and roads, entities contracted to provide public transportation services, facilities exclusively for bicycles and pedestrians, and multimodal transportation terminal. Due to last fiscal year's unmet transit needs findings, the County Road Fund and Bicycle and Trailways program of the Public Works Department are not budgeted to receive any LTF funding in FY 2015-16.

The requested action conforms to the Board of Supervisors' Core Roles of encouraging new local enterprise and ensuring proper operation of markets.

OTHER AGENCY INVOLVEMENT: HCAOG

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board could choose to not grant a public hearing for unmet transit needs. This action is not recommended because "unmet transit needs" assessment is required and the HCAOG Board makes its findings based on the result of testimony received prior to the allocation of any TDA funds.

ATTACHMENTS: HCAOG Letter: FY 2016-17 Unmet Transit Needs Cycle; Request for Joint Powers Authority (JPA) Member Public Hearing Dates



HCAOG

Regional Transportation
Planning Agency

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Eureka, CA 95501
707.444.8208
Fax: 707.444.8319
www.hcaog.net

September 28, 2015

Dear City Managers, CAO, Transit Operators:

**RE: FY 2016-17 Unmet Transit Needs (UTN) Cycle;
Request for Joint Powers Authority (JPA) Member Public
Hearing Dates**

Each year, the Humboldt County Association of Governments (HCAOG), as the Regional Transportation Planning Agency (RTPA), conducts a citizen participation process to assess unmet transit needs within Humboldt County. The State Transportation Development Act (TDA) requires HCAOG to hold at least one public hearing each year to receive public comments regarding unmet transit needs. Prior to allocating TDA funds for non-transit purposes, HCAOG must evaluate and make findings regarding the existence of needs in Humboldt County.

The HCAOG UTN public hearing will be held on November 19, 2015. In addition to HCAOG's statutorily required public hearing, HCAOG encourages its JPA member entities to conduct separate hearings to receive comments for their respective jurisdictions.

HCAOG is requesting its member agencies to also conduct UTN public hearings during the month of November. It is requested that public hearing dates be provided to debra.dees@hcaog.net by **Tuesday, October 6**. HCAOG will publish a 30-day notice display ad in the Times Standard which will include a schedule of all hearing dates, times, and locations.

A synopsis of the UTN process is attached for your information as well as a FY 2016-17 UTN Timeline. Please contact Debra Dees, Associate Planner at debra.dees@hcaog.net or 444-8208 if you have any questions.

Sincerely,

Debra Dees
Associate Planner

Attachment:

- (1) UTN Synopsis
- (2) 2016-17 UTN Timeline

HCAOG

Humboldt County Association of Governments

SYNOPSIS:

Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act

California's Transportation Development Act (TDA) legislates funding for transit purposes primarily, and for non-transit purposes under certain conditions. TDA funds are distributed through the Regional Transportation Planning Agencies (RTPA) throughout the state. An RTPA must assess its jurisdiction's "unmet transit needs" prior to allocating any TDA funds for purposes *not* directly related to public transit or facilities used exclusively by pedestrian and bicyclists.

Public Process to Make a Finding

Each year, HCAOG conducts a citizen participation process to receive public comment concerning transit needs within the RTPA jurisdiction. The HCAOG Social Services Transportation Advisory Council (SSTAC) leads the process to solicit broad input from transportation-dependent and transportation-disadvantaged persons. With recommendations from the SSTAC, at the end of the process the Board shall find that:

- (a) there are no unmet transit needs; or
- (b) there are no unmet transit needs which are reasonable to meet; or
- (c) there are unmet transit needs, including those that are reasonable to meet. (Section 99401.5)

The Board shall make this finding as a result of testimony received, and based on HCAOG's adopted definitions (see box).

If the HCAOG Board finds that there are no unmet transit needs, or that there are no unmet transit needs which are reasonable to meet, entities may expend excess (unexpended) TDA funds for non-transit purposes. A finding that there are unmet transit needs, including those that are reasonable to meet, delivers a mandate to the respective entity to set aside funds, given that they are available, to implement a program to meet those needs deemed "reasonable to meet."

(over)

DEFINITIONS

"Unmet transit needs" are, at a minimum:

- (1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or
- (2) Proposed public transportation, specialized transportation, or private transport services that are identified in the following (but is not limited to): a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit-Human Services Transportation Plan.

"Reasonable to meet" criteria:

- (1) Whether a need is "reasonable to meet" shall **not** be determined by comparing unmet transit needs with the need for streets and roads, or for the sole reason that there is a lack of available resources to fully meet the identified need.
- (2) New, expanded, or revised transit service that has not met performance standards in the first two full years of operation can be subject to termination as being unreasonable to meet.
- (3) The transit operator (TDA claimant) that is expected to provide a new, expanded, or revised transit service indicates that it is operationally feasible.
- (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.

HCAOG

Humboldt County Association of Governments

The TDA directs HCAOG, as the RTPA, to make the finding that there are no unmet transit needs which are reasonable to meet prior to approving fund claims for street and road purposes.

Public Hearings on “Unmet Transit Needs”

HCAOG holds the single statutorily-required public hearing. In addition, HCAOG encourages all member entities to conduct hearings to receive constituent comments. HCAOG encourage entities to notify stakeholders of the public hearings with as much advance notice as is possible. We also encourage entities, to the fullest extent possible, to hold meetings during times that available transit is in service.

After conducting an “Unmet Transit Needs” hearing, the member entity forwards to HCAOG the public hearing’s record of comments or transcript.

Additional Opportunities for Public Comment on “Unmet Transit Needs”

Comments may also be submitted to HCAOG anytime during the year via email, facebook, in person, or telephone at the addresses below. All comments receive the same consideration as those received at the public hearings.

Email: debra.dees@hcaog.net
Facebook: www.facebook.com/hcaog
Mail or in person: HCAOG Office
611 I Street, Suite B
Eureka, CA 95501
Telephone: (707) 444-8208

Report of Findings

HCAOG compiles public testimony and other comments from all entities, and includes it in the *Unmet Transit Needs Report of Findings* for the upcoming fiscal year. The report also covers demographic information of the transportation-dependent public, existing programs, and includes recommendations for meeting transit demands.

Timely conduct of the hearing process and submittal of the requested documentation allows HCAOG staff to prepare the *Report of Findings* for the Board to consider and adopt by March 2016, and thereby avoid delays in processing TDA claims for the upcoming fiscal year.

For questions or assistance regarding this Public Participation Process, contact HCAOG at (707) 444-8208 or debra.dees@hcaog.net.

FY 2016-17

Unmet Transit Needs (UTN) Timeline

Action	Benchmark
Consultation with SSTAC on data needs for last year's potential service and public outreach for this year's process	
Depending on BLRTS grant award, either assist the BLRTS with their survey or conduct the focus survey for the outer Blue Lake area.	October 30, 2015
Request to cities, County and McKinleyville to schedule UTN public hearings through November.	September 28, 2015
Public Service Announcement, 30-day Notice of Public Hearings and distribution of schedule in the region. Newspaper publication, Sunday, October 18, 2015.	October 18, 2015
HCAOG (statutorily required) UTN Public Hearing.	November 19, 2015
Comment period for UTN comments to be considered in this year's Report of Findings.	Through December 15, 2015
Draft UTN Report of Findings to SSTAC.	January 6, 2016
Draft UTN Report to SCC and TAC.	February 15, 2016 (SCC) March 3, 2016 (TAC)
Approval of UTN Report of Findings by the HCAOG Board.	March 17, 2016