



Transportation Committee

May 27, 2009

Fiscal Year 2009-2010 Transportation Development Act Unmet Transit Needs Hearings Process Changes

Issue: Is it possible and appropriate to reduce the number of Transportation Development Act Unmet Transit Needs Public Hearings from 14 to 5.

Recommendation: None; this item is for information only.

Discussion: At the April 19, 2009, Board meeting several members expressed concerns with the number of Unmet Needs Hearings that are conducted as part of the annual process. Staff has reviewed those concerns and determined that a legislative solution is not needed and that the Board has the authority to reduce the number of hearings that it conducts as part of the annual Unmet Needs Hearing Process. Below are some proposed changes to SACOG's current Unmet Transit Needs Hearing Process on which staff would like to receive input from the committee.

- (1) Reduce Transportation Development Act Unmet Transit Needs Hearings from 14 to 5;
- (2) Rotate the Yolo County hearings between each jurisdiction in the county on an annual basis;
- (3) Rotate the South Sacramento County area hearings between Galt and Elk Grove;
- (4) Hold a hearing in the Sacramento Urbanized Area on a rotating basis, as well as holding an annual hearing at the Sacramento Regional Transit District; and
- (5) Continue to hold an annual hearing before the SACOG Board.

The Transportation Development Act (TDA) requires agencies that allocate TDA Local Transportation Funds (LTF) hold a single public hearing concerning Unmet Transit Needs for each area represented by a Social Service Transportation Advisory Council on an annual basis to solicit input from the public on gaps in the current transit services. The input is then brought to the Social Service Transportation Advisory Councils representing each of the four counties in the SACOG RTPA area (Sacramento, Sutter, Yolo and Yuba) to determine if the input is an unmet need that is reasonable to meet, an unmet need, or not and unmet need. PCTPA and EDCTD conduct the unmet needs process in their jurisdictions. When a jurisdiction has an unmet need that is reasonable to meet, it must fulfill the need with available LTF prior to allocating any LTF for street and road purposes. Many jurisdictions have unmet needs that are reasonable to meet but cannot allot additional LTF to implement the service required by the unmet need because all of the LTF is currently allocated to maintaining existing transit services at present levels.

The Unmet Transit Needs hearings have been held at 14 to 15 locations over the past few years. The number of hearings has increased over the years based on requests from Board members who wanted to have hearings in specific areas. Some of the hearings have had sparse attendance or, rarely, no attendance at all. Many of the hearings have been well attended. The SACOG staff also accepts input via e-mail, phone, mail, and in person visits to SACOG by members of the public concerning the Unmet Transit Needs process. By reducing the number of locations, SACOG can focus its outreach efforts more efficiently and save travel costs and staff time. All of the recommended changes are in compliance with or exceed compliance with the Transportation Development Act laws.

Approved by:

Mike McKeever
Executive Director

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Attachment

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SACOG Unmet Transit Needs Finding Process

The Transportation Development Act (TDA) is a state law, which provides funding for public transportation from a portion of sales tax collected from each county. The Sacramento Area Council of Governments has TDA administration responsibilities for Sacramento, Sutter, Yolo and Yuba Counties. The annual Unmet Transit Needs Finding process as described below is required by TDA law to identify transit needs and to determine whether remaining TDA funds after transit expenses can be used for streets and roads projects in some jurisdictions.

1. Unmet Transit Needs Finding Process Requirements

TDA statutes require that SACOG follow a specific process in making an unmet transit needs finding for each jurisdiction in the region. The process includes the following actions:

- a. Establish a Social Service Transportation Advisory Council for each County to participate in the unmet transit needs finding process.

The Social Service Transportation Advisory Council - Each county's SSTAC participates in the identification of unmet transit needs and the determination whether those needs are reasonable to meet. They preside, along with a SACOG Board member, at unmet transit need public hearings in each county. The composition of the SSTAC is set forth in statute and consists of representatives of (number in parenthesis denote number of required representatives): potential transit users who are 60 years of age or older (1); physically disabled (1); social service providers for seniors, including a transportation provider (2); social service provider for persons of limited means (1); and, representatives of the CTSA, including a transit operator (2). Because of the presence of urbanized areas within the rural counties in the region, SACOG also seeks the participation of at least one transit rider who is a commuter in order to obtain input on commuter needs.

- b. Identify transit needs, which have been considered as part of the transportation planning process.
- c. Members of the SSTAC and at least one representative of the SACOG Board of Directors conduct public hearings in each county to receive public comments regarding unmet transit needs. A total of nine to eleven hearings are held yearly within the four counties.
- d. SACOG staff and SSTAC members meet identify potential unmet transit needs. Conduct analysis of comments using Board adopted definitions of "unmet transit needs" and reasonable to meet." (See the following section) An important consideration of whether a need is reasonable to meet is the ability of an operator to maintain the required farebox recovery ratio under the TDA statutes. SACOG staff prepares an analysis of unmet transit needs including those identified in the last short range transit plan update to determine whether they are reasonable to meet, and makes a recommendation for SSTAC consideration.

SACOG staff and the SSTAC meet to discuss staff analysis and recommendations. The SSTAC can formulate its own recommendation to the SACOG Board, if it is different than that of the staff recommendations. Typically, both the SSTAC and the SACOG staff present to the Board a joint recommendation.

- e. The SACOG Board receives, during a regularly scheduled Board meeting, reports from staff on the public hearing results and the joint recommendation. The entire SACOG Board then holds a final public hearing to receive any additional testimony regarding transit needs that may be reasonable to meet. The Board then makes one of the following three possible findings (one for each county and the Sacramento Regional Transit District):
- 1) there are no unmet transit needs, or
 - 2) there are no unmet transit needs that are reasonable to meet, or
 - 3) there are unmet transit needs, including transit needs that are reasonable to meet.

If it is found that there are unmet transit needs that are reasonable to meet, then those transit needs must be met before any TDA funds can be released for streets and roads projects.

2. Definitions of “Unmet Transit Needs” and “Reasonable to Meet”

TDA regulations require SACOG to adopt definitions of "unmet transit needs" and "reasonable to meet" to guide staff analysis as to whether an identified need is an "unmet transit need that is reasonable to meet". **On January 20, 1994**, the Board adopted the following definitions:

- a. Unmet Transit Needs - A request must identify:
1. The **size, location and socio-economic** characteristics of identifiable **groups** likely to be dependent on transit (including, but not limited to elderly, disabled, and low income persons, including individuals eligible for paratransit and other special transportation services pursuant to the federal Americans with Disabilities Act of 1990), **trip purposes** (such as medical, nutrition, shopping, business, social, school and work) and **geographic boundaries** and/or major origin and destination points.
 2. The **adequacy of existing** public transportation services and specialized transportation **services**, including privately and publicly provided services, in meeting the identified demand.
 3. An analysis of the **potential** alternative public transportation and specialized transportation **services** that would **meet** all or part of the **demand**.

b. Reasonable to Meet

An unmet transit need that meets the definition above and meets **all** of the following criteria shall be considered reasonable to meet:

1. **Community Acceptance** - There needs to be demonstrated interest of citizens in the new or additional transit service.
2. **Equity** - The proposed new or additional service will benefit, either the general public (i.e., transit dependent or disadvantaged) or the elderly population and persons with disabilities.
3. **Potential Ridership** - The proposed transit service will maintain new service ridership performance standards established for the transit operator in the Short Range Transit Plan. Ridership performance standards can include passengers per hour and passengers per mile.
4. **Cost Effectiveness** - The proposed new or additional transit service will not affect the ability of the overall system to meet the state mandated farebox recovery ratio requirement after a two-year exemption period, if the service is eligible for the exemption. If the exemption is not used, the service must meet minimum farebox return requirements as stated in the TDA statutes or established by SACOG.