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CITY COUNCIL MEETING

NOVEMBER 2, 1983

PUBLIC HEARING
SET FOR UNMET
TRANSIT NEEDS

Following introduction of the matter by City Clerk Reimche, Council on motion of Mayor Pro Tempore Snider, Murphy second, set the following public hearings to consider unmet transit needs which may exist in the local area:

- a) November 16, 1983, 3:00 p.m., Community Room, Lodi Library
- b) November 16, 1983, 8:00 p.m., Regular Council Meeting, Council Chambers



1860 EAST HAZELTON AVENUE
STOCKTON, CALIFORNIA 95205
TELEPHONE (209) 944-2233

SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS RECEIVED

October 18, 1983

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ALICE H. REIMCHE
CITY CLERK
CITY OF LODI

Mr. Henry Graves
City Manager
City of Lodi
221 West Pine Street
Lodi, CA 95240

Dear Mr. Graves:

The purpose of this letter is to inform you that it is once again time to begin the annual unmet transit needs process. This process, which is required by State law, is explained in detail in the accompanying packet. Please carefully review these materials. A summary of the responsibilities of the City of Lodi in the process follows below:

1. hold a meeting of the transit system's Productivity Improvement Committee sometime in November. This committee should discuss the results and recommendations of the January 20, 1983 Performance Audit (enclosed) as well as any additional productivity improvements thought relevant;
2. advertise and hold one or more public hearings to receive testimony on any unmet transit needs which may exist in the local area.

Last year, the City of Lodi held its Productivity Improvement Committee meeting at 1:30 p.m., November 12. The City held two unmet transit needs hearings, at 3:00 and 8:00 p.m., on November 17.

I would appreciate hearing from you at your earliest convenience regarding your decision as to the times, dates, and locations of this year's meeting and public hearing(s). A member of my staff will be attending as an observer and to answer any questions.

As always, please feel free to contact me at 944-2233 if you have any questions or comments.

Very truly yours,

PETER D. VERDOORN
Executive Director

PDV:GCD:gms
Enclosure

UNMET TRANSIT NEEDS:

OVERVIEW AND LOCAL INSTRUCTIONS

Introduction

The purpose of this packet is twofold:

- I. to provide member governments with an overview of the unmet transit needs process, including the requirements of state law;
- II. to emphasize and explain the specific responsibilities of each member government in this process.

SECTION I: OVERVIEW

Legal Requirements

Each year, pursuant to state law, the COG must identify any unmet transit needs within San Joaquin County that can be reasonably met, and insure that those needs will be met before Transportation Development Act (TDA) funds are allocated for non-transit purposes.

More specifically, the law requires the COG to:

1. Ensure that several factors have been considered in the planning process, including size and location of groups likely to be dependent on transit, adequacy of existing services and potential alternative services and service improvements that could meet all or part of the travel demand.
2. Hold a public hearing to receive testimony on unmet needs.
3. Determine definitions for "unmet transit needs" and "reasonable to meet."
4. Adopt a finding regarding unmet needs for the area of each claimant, and allocate funds, if necessary, before street and road allocations.

The above regulations apply to all claimants of TDA (LTF and/or STA) funds in San Joaquin County. In addition, the COG has certain legal responsibilities regarding those claimants who directly operate public transit systems (SMTD, Lodi, Tracy, Ripon, and Escalon only). Specifically, the COG must:

1. annually identify, analyze, and recommend potential productivity improvements which could lower operating costs for the systems in question. These must include, at a minimum, the recommendations contained in the most recent performance audit;

2. see that each operator forms a productivity improvement committee consisting of representatives of the system's management, employees, and users, for the purpose of providing advice on productivity improvements.

The above merely constitutes a summary of the COG's legal responsibilities regarding the unmet transit needs process, including productivity improvements for transit operators. For further information, please consult the applicable sections (#99244 and #6658) of the Transportation Development Act. For readers' convenience, the applicable sections are reproduced in full at the end of this packet.

The Unmet Transit Needs Process in San Joaquin County

In response to the legal requirements, the COG has adopted definitions for "unmet transit needs" and "reasonable to meet" (see the following section). In addition, the COG has developed a fairly elaborate annual process involving planning studies by staff and various activities by each member government (except for the City of Stockton, which has delegated its responsibilities to the Stockton Metropolitan Transit District).

The member government activities are designed to solicit public comment regarding unmet transit needs. Typically, the process begins in November with the holding of productivity improvement committee meetings by each local transit operator. While not public hearings per se, these meetings often anticipate concerns raised in the public hearings which follow. Next, each of the COG's member jurisdictions is required to hold at least one local public hearing to receive testimony on unmet transit needs. Finally, the COG holds its own public hearings in March or April in conjunction with its regularly scheduled Policy Committee and Executive Board meetings. The process is completed with the adoption by the COG Executive Board of a Resolution containing its findings concerning unmet transit needs for the area of each claimant for the upcoming fiscal year.

Depending on the specific finding adopted by the COG Executive Board for the area of each claimant, that claimant may be required to expend funds to satisfy an unmet transit need before using its TDA allocation for roads and streets (see "Allocation Process" section).

Definitions

The Transportation Development Act does not clearly define "unmet transit needs" and "reasonable to meet." It does state, however, that "the agency's definition of 'unmet transit needs' shall include, at a minimum, those public transportation or specialized transportation services that are identified in the Regional Transportation Plan and that have not been implemented or funded." In addition, it allows the agency's definition of "reasonable to meet" to consider factors such as equity, timing, feasibility, community acceptance, economy, cost-effectiveness and any others that are deemed appropriate by the Transportation Planning Agency.

Unmet transit needs have been defined in terms of a target group, or persons which possess these needs. They are identified as "transportation disadvantaged persons", or those whose transportation requirements are not adequately served by the automobile. The following are examples of people who meet this definition.

1. Individuals who do not own and/or operate an automobile for reasons of low income.
2. Individuals who do not own and/or operate an automobile because of advanced age, physical handicap and/or mental impairment.

Many types of individuals could fit within this definition of transportation disadvantaged. In general it includes all individuals who, by virtue of their age, income, or handicap, are not adequately served by the automobile. As they are limited in their access to an automobile and often live in an area where public transportation is either sparse or non-existent, they are considered the primary target for proposals to provide or expand public transportation services.

Transportation needs were identified by persons representing various social service agencies, from input by public officials and transit operators evaluating existing public transportation systems, and the "unmet transportation needs" surveys taken in 1979 and 1980. The COG's officially adopted definition is as follows:

"TRANSPORTATION NEEDS are the trips required by those persons recognized as transportation disadvantaged to provide themselves with the essentials necessary to maintain a minimum standard of living. This includes trips necessary for medical and dental services, shopping, employment, personal business, education, social services and recreation."

Parameters for "reasonable to meet" were identified in a similar manner as were transit needs. Participants felt it was reasonable that:

- . Persons should have an equal opportunity to provide themselves with the necessities to sustain life;
- . Any transportation system should be based on the feasibility of a continuing service;
- . Any transportation system must enjoy some degree of community acceptance;
- . A transportation system must not prove excessive in capital and operating costs;
- . A transportation system should be provided when a need is demonstrated; and
- . Any service provided should be fundable on both a short and long term basis.

System performance, economy, equity, and available funding were viewed when defining reasonableness, as noted in the above statements. The COG's officially adopted definition is as follows:

"REASONABLENESS of meeting unmet needs is defined in economic feasibility terms in unit average cost per type of service. If the average cost per ride, by type of service, can be provided at or below the areawide cost per ride by type of service, with an allowance of 10% variance of the average cost, meeting that unmet need will be deemed reasonable."

"Areawide" refers to the State of California with emphasis in the Central Valley. "Type of Service" refers to the clientele served (general public or E & H only), the demographic situation (urban, small city or rural), and whether or not the system is a subsidized taxi. Within these parameters, the 11 presently operating, TDA-subsidized public transit systems in San Joaquin County fall naturally into four categories:

1. Urban fixed route (SMTD)
2. Small city systems, including subsidized taxis (Tracy Trans, Tracy Taxi, Lodi, Woodbridge, Manteca)
3. Rural systems (Escalon, Ripon, SCAT)
4. Non-taxi specialized systems: E & H only (SMTD Dial-a-Ride, Community Council)

Operating data for all systems as well as areawide comparative charts for determining reasonableness are contained in the COG publication Unmet Transit Needs, 1983-84 (published May, 1983).

ALLOCATION PROCESS

The COG must adopt a finding for the area of each claimant, after consideration of all available information, including that presented at the public hearings. This finding can state either (1) that there are no unmet transit needs, (2) that there are no unmet transit needs that are reasonable to meet, or (3) that there are unmet transit needs, including needs that are reasonable to meet. Reference must be made to the definitions adopted and the efforts undertaken in the planning process to identify transit dependent groups and service improvements. In addition, these needs are not to be compared with streets and roads needs when making a determination of reasonableness.

After the determination is made for each claimant area, the COG may allocate funds to the claimant in three ways. It may allocate:

1. Some or all for roads, streets, and other purposes;
2. Some or all to be held in reserve in the Local Transportation or State Transit Assistance Funds;
3. Some or all for transit purposes.

These allocation options depend upon the specific determination made for each claimant area. If a finding is made that a need exists and that it is reasonable, some funds must be allocated for transit before any funds are allocated for streets and roads.

SECTION II: LOCAL RESPONSIBILITIES

The foregoing section has described the overall unmet transit needs process in some detail. The purpose of this section is to emphasize and explain the specific responsibilities of each member government in this process.

Step One - Hold a Productivity Improvement Committee meeting (SMTD, Lodi, Tracy, Escalon, and Ripon only).

Each entity operating a transit system must form a Productivity Improvement Committee. The committee must consist of one or more representatives from:

1. management of the transit system (City Manager or Transit Manager);
2. employees of the transit system (driver);
3. users of the transit system (riders); and
4. COG staff.

The subject matters to be discussed may include any desired system improvements and productivity and cost saving measures. At a minimum, however; the Productivity Improvement Committee must discuss the recommendations made in the latest (1983) performance audit. These system-specific recommendations are attached at the end of this section for each transit operator.

Step Two - Set a date and time for the Unmet Transit Needs Public Hearing.

Last year, the County of San Joaquin held four hearings, the City of Lodi held two, while SMTD, Manteca, Tracy, Escalon, and Ripon each held a single hearing. Please notify COG staff of the dates and times for all public hearings as soon as they are known.

Step Three - Advertise the Public Hearing(s) a minimum of 10 days beforehand.

It is the responsibility of each claimant to advertise the local hearing in its area. (The COG will advertise the final COG hearings to be held next spring). Advertising should consist of either:

1. legal notice in the local newspaper, or
2. story on the upcoming public hearing in a local newspaper.

In addition, the claimant should contact those people and organizations it knows have an interest in the subject of the hearing. In any area, unmet transit needs are most likely to be found among people who are elderly, handicapped, or too poor to own and/or operate a private automobile. As a result, a special effort should be made to inform these people of the time, date, and purpose of the public hearing.

Step Four - Hold the Public Hearing(s).

In the Stockton area, the Stockton Metropolitan Transit District is responsible for holding the unmet transit needs hearing. For the unincorporated areas, the San Joaquin County Board of Supervisors is the responsible entity. In Lodi, Manteca, Tracy, Ripon, and Escalon, the City Council is the responsible entity.

In scheduling and conducting the public hearings, the following points should be kept in mind:

1. All meetings must be in a public place which is accessible to wheelchairs, preferably during daylight hours in a place which is known to area residents.
2. Transcripts of comments and a list of public members present should be made available to the public and the COG as soon as practical after the hearing.
3. Hearings held in conjunction with a regularly-scheduled City Council meeting should be held close to the beginning of the meeting, in consideration of the elderly and handicapped persons who will probably be present.
4. After the public hearing is opened, the purpose should be explained - to hear public testimony concerning any unmet transportation needs which may exist in the jurisdiction of the claimant.
5. Presently available public transit systems, bus, para-transit, and taxi systems could be mentioned and the adequacy of their service discussed.
6. The City Council (or other governing body) does not make a "no unmet needs" designation. This is left to the COG Executive Board based on demographic factors, letters to COG staff, petitions presented, input from social service agencies, and any additional public testimony which may be received at the COG public hearings to be held in March or April of next year.

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The following constitute the recommendations for productivity improvements contained in the January 20, 1983 performance audit compiled by the State Controller's office. These recommendations must be considered by the Productivity Improvement Committee when they meet in November.

CONCLUSION

The Lodi Dial-A-Ride System is meeting the needs of the citizens of Lodi and the vehicles are maintained and operated in an excellent manner. The following is presented as high level management recommendations.

RECOMMENDATIONS

We recommend the development of a formal Transportation Development Plan incorporating statements of policies, goals, and objectives which also include coordination with the County Transportation Development Plan.

We recommend the implementation of monthly management reports encompassing the following statistics:

RIDERSHIP

1. Fares
2. Total Passengers
3. Valid Complaints

PRODUCTIVITY

1. Revenue Vehicle Miles
2. Revenue Service Hours
3. Employer Pay Hours
4. Operator Pay Hours
5. Mechanic Pay Hours

EFFECTIVENESS

1. Cost Per Mile

January 20, 1983

2. Cost Per Passenger
3. Total Operating Costs
4. Total Maintenance Costs
5. Total Transportation Costs
6. Total Administration Costs

The preceding statistics should include figures which show activity for the current month, this month last year, current year to date, and year to date last year. These reports should be submitted to the Productivity Committee for evaluation on a timely basis.

Cordially,

KENNETH CORY, STATE CONTROLLER
Earl L. Lucas
Assistant Deputy State Controller
Local Government

By 
Donald E. Etzler, Chief
Bureau of Streets and Roads
(916) 322-5613

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EXCERPTS FROM THE
TRANSPORTATION DEVELOPMENT ACT

RECOMMENDATIONS FOR PRODUCTIVITY IMPROVEMENTS OF
OPERATORS

99244. Each transportation planning agency shall annually identify, analyze, and recommend potential productivity improvements which could lower the operating costs of those operators who operate at least 50 percent of their vehicle service miles, as defined in subdivision (i) of Section 99247, within the area under its jurisdiction. However, where a transit development board created pursuant to Division 11 (commencing with Section 120000) or a county transportation commission exists, the board or commission, as the case may be, shall have the responsibility of the transportation planning agency with respect to potential productivity improvements. The recommendations for improvements and productivity shall include, but not be limited to, those recommendations related to productivity made in the performance audit conducted pursuant to Section 99246.

A committee for the purpose of providing advice on productivity improvements shall be formed by the responsible entity. The membership of this committee shall consist of representatives from the management of the operators, organizations of employees of the operators, and users of the transportation services of the operators located within the area under the jurisdiction of the responsible entity.

Prior to determining the allocation to an operator for the next fiscal year, the responsible entity shall review and evaluate the efforts made by the operator to implement such recommended improvements.

If the responsible entity determines that the operator has not made a reasonable effort to implement the recommended improvements, the responsible entity shall not approve the allocation to the operator for the support of its public transportation system for the next fiscal year which exceeds the allocation to the operator for such purposes for the current fiscal year.

6658. UNMET TRANSIT NEEDS FINDING. Before any allocation is made for a purpose not directly related to public transportation services, specialized transportation services or facilities provided for the exclusive use of pedestrians and bicycles, the transportation planning agency shall have taken the following actions.

(a) The transportation planning agency shall ensure that the following factors, for the jurisdiction of the claimant, have been considered in the transportation planning process:

(1) The size and location of identifiable groups likely to be dependent upon transit. Such groups should include but not necessarily be limited to the elderly, the handicapped, and the poor. Special consideration should also be given to public transportation needs within coastal zones and other environmentally sensitive areas.

(2) The adequacy of existing public transportation services and specialized transportation services, including both privately and publicly provided services. This should include taxi operations and other para-transit services.

(3) Potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of the travel demand. Alternatives should be defined to the extent necessary to identify anticipated users and to estimate revenues, capital costs, and operating expenses.

(b) The transportation planning agency shall hold a public hearing to receive testimony identifying or commenting on unmet transit needs that may exist within the jurisdiction of the claimant and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. Notice of the public hearing shall be published in a newspaper of general circulation at least 10 days in advance of the hearing, and the notice shall specify the transportation planning agency's intent to identify unmet transit needs within the jurisdiction of the claimant. In addition,

the agency shall notify the persons and organizations that it knows, through its citizens participation program, to have an interest in the subject of the hearing.

(c) The transportation planning agency shall determine its definitions of the terms "unmet transit needs" and "reasonable to meet" for the purposes of this section, which shall be documented by resolution or within the minutes of the agency. The agency's definition of "unmet transit needs" shall include, at a minimum, those public transportation or specialized transportation services that are identified in the Regional Transportation Plan and that have not been implemented or funded. The agency's definition of "reasonable to meet" may take into consideration such factors as equity, timing, feasibility, community acceptance, economy (short-term and long-term), cost-effectiveness, and other factors related to transit services deemed appropriate by the transportation planning agency.

(d) The transportation planning agency shall, after consideration of all available information, including that presented at the public hearing, adopt by resolution its finding for the area of the claimant. The finding shall be either (1) that there are no unmet transit needs, (2) that there are no unmet transit needs that are reasonable to meet, or (3) that there are unmet transit needs, including needs that are reasonable to meet. The determination as to whether an unmet transit need is reasonable to meet shall be made with reference to the agency's definition of "reasonable to meet" determined in accordance with subdivision (c) and shall not be made by comparison of unmet transit needs with streets and roads needs. The resolution shall make specific reference to the efforts undertaken in the transportation planning process to identify and consider the factors described in subdivision (a). If the second finding is made (that there are no unmet transit needs that are reasonable to meet), the resolution shall specify why the unmet transit needs are not reasonable to meet, making reference as appropriate to supporting documentation and to the transportation planning agency's definition of "reasonable to meet."

(e) If the third finding is made (that there are unmet transit needs that are reasonable to meet), then the unmet transit needs shall be funded before any allocation is made for streets and roads within the jurisdiction of the claimant. If the finding is inconsistent with the Regional Transportation Plan, then the transportation planning agency shall resolve the inconsistency by timely amendment or supplement to the Plan.

6658.1. NOTICE OF FINDING. Upon adoption of a finding, pursuant to Section 6658 (d), that there are no unmet transit needs or that there are no unmet transit needs that are reasonable to meet, the transportation planning agency may allocate funds for local streets and roads provided that the allocation does not become effective less than 20 days after acknowledgment of receipt by the Secretary of documentation of the finding. The transportation planning agency shall, in any case, submit the documentation before August 15 of the fiscal year of the allocation or within 10 days after the adoption of the finding, whichever is later. The documentation shall include all of the following documents:

(a) A copy of the notice of hearing and proof of publication and a statement of the actions taken to encourage citizen participation.

(b) A copy of the resolution or minutes documenting the transportation planning agency's definitions of "unmet transit needs" and "reasonable to meet," as determined pursuant to Section 6658(c).

(c) A copy of the resolution adopting the unmet needs finding described in Section 6658(j).

NOTICE OF PUBLIC HEARINGS
REGARDING UNMET TRANSIT
NEEDS WITHIN THE CITY
OF LODI

NOTICE IS HEREBY GIVEN that on Wednesday, November 16, 1983 at the hour of 3:00 p.m. or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a Public Hearing at the Lodi Library Community Room, 201 West Locust Street, Lodi, California, to receive testimony concerning the unmet transit needs within the City of Lodi.

NOTICE IS FURTHER GIVEN that on Wednesday, November 16, 1983 at the hour of 8:00 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a second Public Hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, to receive testimony concerning unmet transit needs within the City of Lodi.

Information regarding this matter may be obtained in the Office of the City Clerk. All interested persons are invited to present their views. Written statements may be filed with the City Clerk at any time prior to the hearings scheduled herein and oral statements may be made at said hearings.

Dated: November 2, 1983

BY ORDER OF THE LODI CITY COUNCIL

Alice M. Reimche
City Clerk