



**VENTURA COUNTY TRANSPORTATION COMMISSION
FY 12/13 TRANSPORTATION DEVELOPMENT ACT (TDA)
PUBLIC HEARING ON UNMET TRANSIT NEEDS**

MONDAY, FEBRUARY 6, 2012 1:30 – 3:30 PM

Camarillo City Hall Council Chambers – 605 North Carmen Drive, Camarillo

Call to Order

Pledge of Allegiance

VCTC Staff Report:

Overview of Public Hearing Process/Procedures

Responsible Staff: Mary Travis

Summary of FY 11/12 Hearing Findings/Overview of
FY 12/13 Comments Heard to Date

Responsible Staff: Vic Kamhi

Public Comments on Possible Unmet Transit Needs

Adjournment

NEXT MEETINGS:

There will be a meeting to review the draft findings on Monday, April 23, 2012 from 1:30 to 2:30 PM at the Camarillo City Hall Council Chambers. The final meeting on this topic will take place when the VCTC Board will consider the unmet transit needs findings at its May 4, 2012 meeting, 9 AM, Camarillo City Hall Council Chambers.

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Board at (805) 642-1591 ext 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

TRANSPORTATION DEVELOPMENT ACT (TDA)

FY 12/13 PUBLIC MEETING

UNMET TRANSIT NEEDS IN VENTURA COUNTY

(Note: This overview of the TDA and public hearing process is provided only for the purpose of the public hearing on unmet transit needs. It represents only a brief summary of the TDA Program. For more details, please refer to the State's TDA Statutes and Government Code.)

OVERVIEW OF THE STATE TRANSPORTATION DEVELOPMENT ACT (TDA)
UNMET TRANSIT NEEDS PUBLIC HEARING REQUIREMENT

The California State Transportation Development Act (TDA), which was passed in 1971, provides a major source of funding for local transit, bicycle/pedestrian and street projects. The legislation, as amended, authorizes the Ventura County Transportation Commission (VCTC) to administer the local TDA process and oversee regulatory and fiscal compliance.

Legislative Intent for Use of TDA Funds

The legislative intent for use of TDA money is stated in the law as follows:

It is in the interest of the State that funds available for transit development be fully expended to meet the transit needs that exist in California. Furthermore, it is also in the interest of the State that such funds be expended for physical improvement – to improve the movement of transit vehicles, the comfort of patrons, and the exchange of patrons from one transportation mode to another. To assure full consideration is given to meeting the intent of the law, a public hearing to discuss transit needs must be held every year.

This hearing is especially important in areas like Ventura County where the TDA allows use of funds for street and road projects. The purpose of the hearing is to take testimony on local and/or regional transit needs, and assure that all reasonable transit needs are satisfied. VCTC is required to make those findings, and provide them to the State for review and concurrence prior to allocation of TDA funds to the cities/County for any street or road purpose.

The VCTC develops the findings after a review of the testimony and from a review of regional and local transportation plans. This review takes into consideration adopted goals, policies and actions already identified in area plans, and also, tries to identify projects that will improve the environment and the public transportation needs of groups likely to be transit dependent, such as the physically/cognitively challenged, senior citizens and/or low income individuals.

It is important to recognize that in addition to testimony offered at the hearing, any applicable comments received at other local meetings held earlier this year (e.g. meetings of city councils, community advisory groups and/or transit boards) will be added to the public hearing record for Board consideration. Also added to the public record will be comments received via U.S. mail, e-mail, and telephone; this allows for the broadest public participation

After review of all the aforementioned, VCTC must decide by adopting a resolution either that:

1. There are no unmet transit needs;
2. There are no unmet transit needs that are reasonable to meet; or,
3. There are unmet transit needs, including needs that are reasonable to meet.

Attachment # 1 shows the schedule for FY 12/13 public hearing process which includes review of the findings.

Attachment # 2 contains the current VCTC definitions of “Unmet Transit Needs” and “Reasonable to Meet” which are required to be adopted each year; these definitions were approved by the Commission on December 2, 2011 after review by VCTC’s Citizen’s Transportation Advisory Committee/Social Services Transportation Advisory Council (CTAC/SSTAC).

A summary of the public hearing process follows:

- The Hearing Board receives the testimony submitted to-date at community meetings or by other transmittal methods, and given at the public hearing on February 6th; hearing record left open until 5 PM February 13, 2012 for any supplemental information.
- VCTC's Transit Operators' Advisory Committee (Transcom), City/County Managers and CTAC/SSTAC committees will review staff's summary of the public comments and the staff recommended findings. Interested Technical Transportation Advisory Committee (TTAC) members will also be invited to attend the Transcom meeting when the draft findings are discussed.
- The Hearing Board will review the advisory committee comments and staff recommendations regarding the findings on April 23rd at 1:30 PM at Camarillo City Hall Council Chambers, and forward them with any Hearing Board comments to the full Commission for action.
- The VCTC will review, adjust as needed, and adopt the final recommendations at its May 4, 2012 meeting at 9 AM at Camarillo City Hall.
- The findings will then be transmitted as required to the State. The VCTC will also inform any jurisdictions of any unmet transit needs which were deemed reasonable to meet, and direct submission of a program to meet those needs prior to the VCTC approval of the TDA funds for street and road purposes.

Fiscal Year 12/13 Unmet Transit Needs Public Hearing and Process Schedule

November 8, 2011	CTAC/SSTAC reviews FY 11/12 unmet transit needs public hearing definitions
December 2, 2011	VCTC approves FY 11/12 unmet transit needs public hearing schedule and definitions
December 10, 2011	Letters/flyers are sent to community groups, social service agencies, transit operators, and the general public to announce the public hearing and information is posted on the www.goventura.org website
January 6, 2012	Legal notice for public hearing published
January 10 and 24, 2012	Display advertisements on public hearing published in local English and Spanish language newspapers
January 12, 2012	Reminder notices on the public hearing sent to agencies/citizens
January 17 - 18, 2012	6:30 – 7:30 PM Community meetings in Moorpark and Oxnard
February 6, 2012	Public Hearing, 1:30 p.m. at Camarillo City Hall
February 13, 2012	5 p.m. hearing record closed - no further public testimony accepted
March 15, 2012	Transit Operators Advisory Committee (TRANSCOM) reviews testimony and makes recommendations regarding the staff proposed findings
March 21, 2012	(Tentative Date) Managers Policy Advisory Committee (MPAC) reviews testimony and makes recommendations regarding the proposed findings
April 11, 2012	CTAC/SSTAC reviews testimony and makes recommendations regarding the staff proposed findings
April 23, 2012	1:30 p.m. at Camarillo City Hall - Hearing Board reviews and approves findings
May 4, 2012	9 a.m. at Camarillo City Hall - VCTC adopts Unmet Transit Needs Public Hearing Findings
May 7, 2012	Adopted findings are forwarded to the State for review
August 15, 2012	Deadline for State review of findings

UNMET TRANSIT NEEDS BACKGROUND AND DEFINITIONS

California Public Utilities Code (PUC) Section 99401.5 (c) requires that the local transportation planning agency (VCTC) hold at least one public hearing pursuant to Section 99238.5 for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation or by expanding existing services. All unmet transit needs that are reasonable to meet must be funded before any allocation is made to streets and roads pursuant to PUC Section 99401.5(e). Section 99238(c) (1) (2) the Public Utilities Code specifies that the local social service transportation advisory council (CTAC/SSTAC in Ventura County) has the responsibility to participate in the annual process and must review and recommend action to VCTC on the findings.

According to the California Public Utilities Code (PUC) Section 99401.5(d), prior to allocation of any Transportation Development Act Local Transportation Fund monies for street and road purposes, the Commission must decide by adopting a resolution either that:

1. There are no unmet transit needs;
2. There are no unmet transit needs that are reasonable to meet; or,
3. There are unmet transit needs, including needs that are reasonable to meet.

The resolution must include information that provides the basis for the Commission decision. In accordance with PUC Section 99401.5(c) the Commission adopted definitions of "Unmet Transit Need" and "Reasonable to Meet" as follows:

VCTC UNMET TRANSIT NEED DEFINITION and CRITERIA

"Unmet Transit Need":

"Unmet transit needs" are, at a minimum, those public transportation services that have been identified by substantial community input through the public hearing process or are identified in a Short Range Transit Plan, in adopted Americans with Disability Act (ADA) plans or the Regional Transportation Plan and have not yet been implemented or funded.

"Reasonable to Meet":

Following is the VCTC adopted definition of "Reasonable to Meet" including the recommended benchmarks for the passenger farebox recovery ratio for new transit services in Ventura County.

An unmet transit need shall be considered “reasonable to meet” if the proposed service (1) is in general compliance with the following criteria:

Equity

1. The proposed service will not cause reductions in existing transit services that have an equal or higher priority.
2. The proposed service will require a subsidy generally equivalent to other similar services.

Timing

1. The proposed service is in response to an existing rather than future transit need.

Feasibility

1. The proposed service can be provided within available funding. (2)
2. The proposed service can be provided with the existing fleet or under contract to a private provider.

Performance

1. The proposed service will not unduly affect the operator's ability to maintain the required passenger fare ratio for its system as a whole.
2. The proposed service will meet the scheduled passenger fare ratio standards as described in the recommended benchmarks for the passenger farebox recovery ratio for new transit services in Ventura County.
3. The estimated number of passengers to be carried will be in the range of other similar services, and/or, the proposed service provides a "link" or connection that contributes to the effectiveness of the overall transit system.

Community Acceptance

1. The proposed service has community acceptance and/or support as determined by the unmet needs public hearing record, inclusion in adopted programs and plans, adopted governing board positions and other existing information.

(1) Proposed Service is defined as the specific transit service identified as an unmet need (as defined) and which requires evaluation against this definition of “reasonable to meet”.

(2) Per state law, the lack of available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.

**RECOMMENDED BENCHMARKS FOR PASSENGER FAREBOX RECOVERY RATIO FOR NEW
TRANSIT SERVICES IN VENTURA COUNTY.**

The State has established a basic requirement in Section 99268 of the Public Utility Code for all proposed transit services in urban areas. This requirement is to achieve a 20% passenger fare ratio by the end of the third year of operation. A similar targeted passenger fare ratio of 10% exists for special services (i.e. elderly and disabled) and rural area services. (1) VCTC has established more detailed interim passenger fare ratio standards, which will be used to evaluate services as they are proposed and implemented, which are described below. Transit serving both urban and rural areas, per state law, may obtain an "intermediate" passenger fare ratio.

END OF TWELVE MONTHS

Performance Level		<u>Recommended Action</u>
<u>Urban Service</u>	<u>Special/Rural Service</u>	
Less than 6 %	Less than 3 %	Provider may discontinue service
6% or more	3% or more	Provider will continue service, with modifications if needed

END OF TWENTY-FOUR MONTHS

Performance Level		<u>Recommended Action</u>
<u>Urban Service</u>	<u>Special/Rural Service</u>	
Less than 10%	Less than 5%	Provider may discontinue service
10% or more	5% or more	Provider will continue service, with modifications, if needed

END OF THIRTY-SIX MONTHS (2)

Performance Level		<u>Recommended Action</u>
<u>Urban Service</u>	<u>Special/Rural Service</u>	
Less than 15%	Less than 7%	Provider may discontinue service
15-20%	7-10%	Provider may consider modifying and continuing service
20% or more	10% or more	Provider will continue service, with modifications if needed

(1) Per statute, VCTC may establish a lower fare ratio for community level (dial-a-ride) services.

(2) A review will take place after 30 months to develop a preliminary determination regarding discontinuation of service.