

SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

STAFF REPORT

MEETING DATE:	DECEMBER 8, 2004
SUBJECT:	2005/06 Unmet Transit Needs Methodology and Definitions

SUMMARY

Annually, the San Luis Obispo Council of Governments (SLOCOG) solicits requests for new and/or expanded transit services and bikeways during the annual "Unmet Needs/Bikeway Needs" cycle. This year the hearing will be held on February 2nd, 2005 at San Luis Obispo Board of Supervisors' Chambers.

This staff report describes the 2005/06 schedule (Attachment A) for soliciting requests from the public, presenting requests to the Board, evaluating them for "reasonableness to meet", and recommending new services for Transportation Development Act (TDA) funding. The report also describes adopted methodology and criteria for unmet transit needs determination (Attachment B). A resolution adopting the Unmet Transit Needs Methodology and Criteria is given by Attachment C. State law requires the methodology, schedule and definition to be annually reviewed and adopted.

RECOMMENDATION

Staff: a.) Approve resolution adopting methodology, definitions, & criteria.
b.) Adopt the 2005/06 Unmet Transit Needs Schedule shown on Attachment A.

RTAC: Concur with staff recommendations with minor clarifications.

TTAC: Concur with staff recommendations.

CTAC: Concur with staff recommendations.

DISCUSSION

Every year SLOCOG holds an "unmet transit needs hearing" as a requirement of the Transportation Development Act (TDA), which provides the majority of the local funding for transit services in SLO County. The hearing process provides the public an opportunity to formally request new or expanded transit services. For convenience, input is also opened to the biking community to request changes related to bicycle facilities. This information is then considered by SLOCOG and forwarded to jurisdictions for review in the planning process.

Staff accepts requests over the telephone, fax, by mail, or e-mail. All requests are documented and presented to the Board. After receiving public testimony, the Board directs staff to analyze each request for transit services to determine if any of them is an "unmet transit need, reasonable to meet". Requests for bikeways are forwarded to each jurisdiction for input. Bikeways requests will also be addressed in SLOCOG's regional planning and programming process.

If any transit request is found to be an "unmet transit need" and a need "reasonable to meet", SLOCOG will direct the operator(s) to implement the new or expanded service before any remaining TDA funds are released for streets and roads improvements. SLOCOG has the authority to withhold TDA funding until the operator complies.

Transit requests that did not meet the criteria for unmet transit need/ reasonable to meet will be forwarded to each transit operator for response. These responses will be included in the annual Unmet Transit Needs Report. The providers will review all operational requests applicable to their services with their written responses forwarded to SLOCOG by early May 2005.

Staff Report Prepared by Philip Chu

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ATTACHMENT A

2005/06 UNMET TRANSIT NEEDS HEARING SCHEDULE

- 12/8/04** SLOCOG Board adopts Unmet Transit Needs Criteria.
- 12/28/04** Legal notice notifying the public that February 2nd, 2005 is the date of the Unmet Transit Needs hearing. In that notice SLOCOG's telephone and fax number, Email address, and mail address will be provided so that the public can contact SLOCOG. The notice will also be included in SLOCOG's newsletter mailed to all media, interested individuals or organizations, and agencies in the county. Posters (bi-lingual) announcing the public hearing are distributed to community representatives and transit operators.
- 2/1/05** SLOCOG staff collects and records all requests received prior to the hearing.
- 2/2/05** SLOCOG Board holds public hearing to accept testimony on transit needs and bikeways from the public and summarized testimony received by staff before the meeting. SLOCOG Board directs staff to:
1. Evaluate all requests for transit services based on adopted definitions of "unmet transit need" and "reasonable to meet" and
 2. Forward all requests for transit operational improvements and bikeways to affected jurisdictions and request a progress report and action(s) taken.
- 2/14/05** Deadline to submit transit and/or bicycle requests for evaluation.
- 3/2/05** (If there is a SLOCOG meeting) SLOCOG staff will list all requests for SLOCOG Board and if applicable, highlight which requests will be further evaluated for "reasonableness to meet".
- 4/6/05** SLOCOG Board considers all requests and whether the unmet needs requests are "reasonable to meet". SLOCOG adopts a resolution with the following findings:
- 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", but they are not "reasonable to meet" at this time, or
 - 4) There are "unmet transit needs" that are "reasonable to meet".
- 6/8/05** SLOCOG Board considers responses from each jurisdiction on the operational and bikeway related requests.
- 6/8/05** SLOCOG staff amends TDA allocation for adoption by the Board which includes the condition that any jurisdiction found to have an "unmet transit need, reasonable to meet", must implement that transit service or have an implementation plan before receiving any TDA funds for streets and roads improvements.
- 7/1/05** If request is found reasonable to meet, implement or develop plans to implement service.

ATTACHMENT B

SLOCOG has adopted the following specific definitions for the terms “unmet transit needs” and “reasonable to meet”.

Definitions:

1.) Unmet Transit Need

A request must meet all of the following four (4) adopted criteria if it is to be determined an unmet need:

- a. The request fills a gap in transit service or is identified as a deficiency in the Regional Transportation Plan (RTP), Clean Air Plan (CAP), ADA Paratransit Plan or the Short Range Transit Plan (SRTP);
- b. Sufficient broad-based community support is demonstrated by persons who will likely use the service on a routine basis (at least 15 requests for general public service and 10 requests for disabled service);
- c. The request is a current rather than a future need; and
- d. The request is for service expansion such as increased hours, increased frequency, new routes, significant modifications to existing routes; and not operational in nature, such as minor route changes or bus stop changes, etc. (If the request is for minor service changes, the request will be forwarded to the transit operator for follow-up.)

Only if all of the above criteria (1a-1d) are met, is the request considered an “unmet need”.

2.) Reasonable to Meet

An unmet need must meet all of the following four (4) adopted criteria in order for it to be deemed “reasonable to meet”.

- a. The request is projected to generate the required farebox ratio (10% rural, 20% urban) by the third year and demonstrate continuous progress after the first and second year.
- b. Service will not involve funding from a non-served entity.
- c. Service is comparable with other similar transit services (Such as local fixed-route, regional fixed-route, local general public Dial-A-Ride, specialized Dial-A-Ride, circulator, trolley, etc.) or will be similar, based on the projected number of passengers per hour the proposed service would carry.
- d. The request is fundable with existing TDA funds, without reducing other existing transit services. The new, expanded, or revised service, if implemented, will not cause the responsible operator to incur expenditures in excess of available TDA funds (If 100% of the TDA funds are being used for transit, no mandate can be imposed upon the operator.) “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.” (TDA Puc. Section 99401.5 (c))

An unmet transit need is recognized by SLOCOG as reasonable to meet only if all of the above criteria (2a-2d) are satisfied.

ATTACHMENT C

**RESOLUTION NO. 04-
UNMET TRANSIT NEEDS METHODOLOGY AND DEFINITIONS**

WHEREAS, the San Luis Obispo Council of Governments (SLOCOG), hereinafter referred to as SLOCOG, is the designated Regional Transportation Planning Agency (RTPA) for the San Luis Obispo region; and

WHEREAS, SLOCOG shall implement its plan and allocate monies in the Local Transportation Fund and State Transit Assistance Fund in accordance with the rules and regulations which implement the Transportation Development Act of 1971 as amended; and

WHEREAS, SLOCOG shall identify the unmet transit needs within the region and those needs that are reasonable to meet; and

WHEREAS, SLOCOG shall hold at least one public hearing pursuant to Public Utilities Code Section 99238.5 for the purpose of soliciting comments on the unmet transit needs and;

WHEREAS, SLOCOG shall adopt by resolution, unmet needs findings, requiring definitions to be applied to transit requests; and

WHEREAS, the Public Utilities Code, Section 99401.5, requires SLOCOG to adopt local definitions for the terms "unmet transit needs" and "reasonable to meet"; and

WHEREAS, previously adopted definitions and criteria were reviewed by SLOCOG Advisory Committees, updated to address public concerns, and forwarded to SLOCOG Board for adoption.

NOW, THEREFORE, BE IT RESOLVED that SLOCOG acting as the Regional Transportation Planning Agency, does hereby adopt the schedule, modified methodology and criteria described in Attachments A and B.

On a motion of Delegate _____, seconded by Delegate _____, and on the following roll call vote, to-wit: the foregoing resolution is hereby adopted this 8th day December, 2004.

AYES:

NOES:

ABSENT:

ABSTAINING:

Frank Mecham, President
San Luis Obispo Council of Governments

ATTEST:

Ronald De Carli, Executive Director
San Luis Obispo Council of Governments

BY: JAC CRAWFORD, Legal Counsel

Dated: _____