

To: James L. App, City Manager
From: Jim Throop, Director of Administrative Services
Subject: Annual Transportation Development Act Funding Claim
DATE: November 17, 2009

Needs:

For the City Council to consider resolution approving the annual Transportation Development Act (TDA) claim for fiscal year 2009/10

Facts:

1. The City must file an annual “claim” with the San Luis Obispo Council of Governments in order to receive its allocation of TDA funds.
2. TDA funds may be either used for transit services or for streets & roads. However to be used for Streets & Roads there must be no “unmet transit needs”.
3. TDA funds represent $\frac{1}{4}$ of 1% of the sales tax collections statewide. These funds are generally distributed back to local agencies based upon County situs and then agency population. However, the State and SLOCOG retain a portion of the tax collections to fund their respective budgets.
4. In addition to transit fares and TDA, the City receives Federal Transit 5307 funds for the City’s transit operations.

Analysis
and

Conclusion:

The total amount of TDA funds being requested or “claimed” is \$962,063. Of this amount, \$698,640 will be used towards transit operations. The remaining \$263,423 will be used to fund Regional Transit (SLORTA), Streets and Roads, pedestrians/bikeways and the required tri-annual TDA Audit.

If it is determined that the City has an “unmet transit need”, TDA funds must be allocated to meet this “unmet transit need” before funds may be allocated to streets & roads. The last unmet transit-need hearing process did not identify any “unmet transit needs” in Paso Robles.

A city or other jurisdiction that utilizes all of its TDA funds for Transit purposes is exempt from being mandated to implement additional transit services identified through the Unmet Transit Needs process.

The City as a designated “urbanized area” is eligible for Federal Transit funding which is expected to be \$272,000 in Federal 5307 funds for fiscal year 09/10. These FTA funds

are being used to assist in funding transit operations in conjunction with the TDA funding. The balance of transit operational funding is provided by passenger fares.

Currently, the allocation of TDA funds are subject to change, in response to adjustments in projected state revenues, and the distribution of these changes amongst jurisdictions. Final TDA amounts are likely to vary from the amounts in this claim.

Fiscal
Impact:

Approval of the claim as drafted will provide for the following allocation of funds:

Paso Transit Operations (including the NCS)	\$698,640
SLORTA Transit Services (in the Paso area)	\$198,200
Streets & Roads	\$30,000
Pedestrian & Bikeways	\$20,223
TDA Audit	\$15,000
Total	<u>\$962,063</u>

NOTE: These amounts are subject to change, pending final adjustments to State revenues.

Options:

- a. That the City Council adopt the attached resolution approving the annual claim for Transportation Development Act funding; or
- b. Amend, modify, or reject the above option.

RESOLUTION NO. 09-XXX

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
APPROVING THE ANNUAL CLAIM FOR
TRANSPORTATION DEVELOPMENT ACT FUNDS

WHEREAS, the City must annually file a “claim” for its share of Transportation Development Act funds; and

WHEREAS, the annual claim will identify the allocation of Transportation Development Act funds between uses for transit services and streets & roads purposes; and

WHEREAS, the annual claim may be subsequently modified if actual revenues or the proposed uses do not meet expectations; and

WHEREAS, to assure no disruption in the receipt of the City’s quarterly allocation of TDA funds, this claim should be submitted immediately.

THEREFORE BE IT HEREBY RESOLVED by the City Council of the City of El Paso de Robles that the Transportation Development Act claim attached herewith as Exhibit "A" is hereby approved for the fiscal year ending June 30, 2010.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day November, 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Lonnie Dolan, Deputy City Clerk

**SAN LUIS OBISPO COUNCIL OF GOVERNMENTS
2009/2010 TDA CLAIM FORM**

Please enter information in the spaces provided. Once all the data has been entered, the form may be mailed (1150 Osos Street, Suite 202, San Luis Obispo, CA 93401), e-mailed (shall@slocog.org), or faxed 781-5703. If you mail your claim on or after August 1, 2009, please mail to SLOCOG, 1114 Marsh Street, San Luis Obispo, CA 93401.

Item 1. Claimant Information

Agency Name: City of Paso Robles	Date: 11/3/09
Contact Person: Michael Seden-Hansen	Fiscal Year: 2009/2010
Title: Transit Coordinator	This Claim is <input checked="" type="checkbox"/> Original <input type="checkbox"/> Revised
Address: 821 Pine St., Ste A	Phone: (805) 237-3999
Email: Mseden-hansen@prcity.com	Fax: (805) 237-6565

This claimant, qualified pursuant to Section 99203 of the Public Utilities Code, hereby requests, in accordance with Chapter 1400, Statutes of 1971, as amended and applicable rules and regulations, that an allocation be made for the purposes and in the respective amounts as described in the attached Project and Financial Plan claim form. The total amounts correspond to the allocations approved by the San Luis Obispo Council of Governments on June 10, 2009. See attached Exhibit A.

CATEGORY	DOLLAR AMOUNT (see Exhibit A)
a) Annual Local Transportation Funds (LTF)	\$962,063
b) Annual Rural Transit Funds (RTF)	\$0
c) Carryover Rural Transit Funds (RTF)	\$0
TOTAL FUNDS BEING CLAIMED ARE:	\$962,063

This claim was conditionally approved by the San Luis Obispo Council of Governments at a meeting on June 10, 2009.

SLOCOG office use only

	/ /	#
Ronald L. De Carli, Executive Director	Date	Claim #

Item 2. Certifications

By providing the required information and marking each applicable box below, the authorized official certifies compliance with all of the required TDA Certifications. (All claimants complete Part I; Transit Claimants complete Part II as well).

PART I.

- The proposed expenditures are in conformity with the Regional Transportation Plan (RTP) (CCR 6651). All maintenance projects are consistent with the RTP; any capital project is identified as follows: N/A.
- A jurisdictional fund will be established for pedestrian and bicycle allocations pursuant to PUC 99233.3 (JPA's and the CTSA are exempt).
- Equivalent reduced transit fares and identification cards for senior citizens and handicapped persons are available pursuant to PUC 99155.
- Agency will program or implement services to meet all unmet transit needs per the adopted 2009 SLOCOG resolution *if applicable*.
- Prior to disbursement of TDA funds, the following documents will be submitted:
 1. This claim for funds will be submitted to SLOCOG.
 2. Safety Compliance Report/Terminal Record Update certification by the California Highway Patrol (CHP) verifying compliance with Section 1808.1 of the Vehicle Code.
 3. State Controller's report (LGFA) will be submitted to SLOCOG and State Controller by 9/30/09.
 4. Statistics for tracking quarterly performance of services preferably by mode: number of riders; number of revenue service hours and revenue service miles; estimated farebox revenues or direct subsidies (supplemental fares); estimated operating costs (excluding depreciation and vehicle lease) and overhead costs pursuant to PUC 99247(a) – plus the corresponding farebox recovery ratios by quarter; the ratio of riders per revenue service hour (compared to adopted Short Range Transit Plan [SRTP] standards); the equivalent cost per rider; and the equivalent subsidy per rider (equivalent cost minus average fare).
 5. Three copies of a certified fiscal audit of all TDA funds received the prior fiscal year will be submitted to SLOCOG (by December 31 for 2nd quarter payment). Prior to submittal of the final version of the fiscal audit, the operator should provide a copy of the draft fiscal audit for SLOCOG review (at least one week before due date). If the operator's financial auditor is not able to meet the December 31st due date, the operator should request from SLOCOG an extension (up to 90 days) with a written justification for the delay submitted by December 21, 2009. The operator should inform its fiscal auditor of the need to meet the above deadlines.

PART II. ALL TRANSIT CLAIMANTS MUST ALSO COMPLETE THE FOLLOWING:

- Farebox ratio (fares/operating costs) for system is expected to exceed 10% (rural operators), 16.2% (RTA), and 20% (urban operators).
- Full use is being made of federal funds available under the Urban Mass Transportation Act for transportation purposes (CCR 6754).
- Fixed-route operator accepts and handles Regional Day Pass issued by the Regional Transit Authority with revenue-sharing participation per adopted formula among regional and local fixed-route providers (2008 Region wide Fare Improvement Study-Policy A).
- Fixed-route provider accepts Region ALL Pass issued by the Regional Transit Authority with revenue-sharing participation per adopted formula among regional and local fixed-route providers (2008 Region wide Fare Improvement Study-Policy B).
- The transit system is not precluded by contract from employing part time drivers or from contracting with common carriers of persons operating under a franchise or license (CCR 6754-(b)-2).
- Compliance with California Vehicle Codes (CVC) Section 1808.1 (PUC 99155) "Drivers Pull Notice Participation" Program and Section 12804.6 "Transit Bus drivers; Required Certifications and Employee Records" Program (must be within 13 months of claim submittal date). PROVIDE COPY TO SLOCOG WITH CLAIM!

- The transit system has an adopted Short Range Transit Plan or is in the process of updating its plan (if more than 6 years old).
- The transit system will not receive TDA funds (LTF) in excess of operating costs minus fare revenues (CCR 6754 (a) 4). Those funds exclude RTF capital awards.
- Transit system estimated operating data from the prior fiscal year is as follows:

DATA CATEGORY YEAR 2008/2009	DIAL-A-RIDE	FIXED ROUTE	OTHER	TOTAL
VEHICLE SERVICE HOURS	3988.2	7756.5		11,744.7
VEHICLE SERVICE MILES	41,069	157,504		198,573
PASSENGER BOARDINGS	9,606	195,113		204,719
EMPLOYEE HOURS (FULL TIME EQUIVALENT)	3.2	6.8		10.0
OPERATING COSTS (MINUS DEPRECIATION, LEASE)	203,604.80	\$636,888.84		\$840,493.64
FARE REVENUE BY CATEGORY				
PASSENGER FARES	\$11,898.23	\$114,619.90		\$126,518.13
OTHER SUPPLEMENTAL		\$20,340		
TOTAL OPERATING REVENUES (a+b – excludes grants)	\$11,898.23	\$134,959.90		\$146,858.13
OPERATING COSTS MINUS TOTAL REVENUES	\$191,706.57	\$501,928.94		\$693,635.51
TDA \$ RECEIVED	\$180,531.86	\$472,671.14		\$653,203
DIFFERENCE (if any)	\$11,174.71	\$29,257.80		\$40,432.51

Item 3. Annual Project and Financial Plan: Your TDA will be distributed according to this plan.

CATEGORY	ARTICLE/SECTION	
Bikeways (2%) see Exhibit A (Col. 2)	LTF Article 3, Sec. 99233.3	\$20,223
SLORTA see Exhibit A (Col. 3)	LTF Article 4, Sec. 99260	\$198,200
SCAT see Exhibit A (Col. 6)	LTF Article 4, Sec. 99260	\$0
Performance Audits (SLOCOG) (Col. 7)	LTF Article 8, Sec. 99402	\$15,000
TDA Audit (Col. 9)	LTF Article 8, Sec. 99400	\$0
Local Public Transit System (Col. 10)	LTF Article 4, Sec. 99260	\$698,640
Roads Maint./Rail/ Bikeways/	LTF Article 8, Sec. 99400(a)	\$30,000

Ped. (Col. 11)		
Misc. Transp. Allocations/Sr. Van Programs/ Subsidized Taxi (Col. 12)	LTF Article 8, Sec. 99400(c)	\$0
CTSA (Col. 1)	LTF Article 4.5, Sec. 99400	\$0
TOTAL LTF BEING CLAIMED (Should correspond to Exhibit A) (Col. 14)		\$962,063
TOTAL RURAL TRANSIT FUND (RTF) BEING CLAIMED (Should correspond to Exhibit A) (Col. 15)	LTF Article 4, Section 99260	\$0
TOTAL CARRYOVER RURAL TRANSIT FUND (RTF) BEING CLAIMED (Should correspond to Exhibit A) (Col. 17)	LTF Article 4, Section 99260	\$0
GRAND TOTAL (LTF, RTF AND CARRYOVER RTF) (Col. 18)		\$962,063

Item 4. Annual Fiscal audit: Identify actions taken to comply with the most recent fiscal audit recommendations (if applicable). If no actions were taken, describe what actions you plan to take in the first two quarters.

N/A – No recommendations

Item 5. Triennial Performance Audit: Identify efforts made to implement transit productivity improvements recommended in prior performance audit (transit claimants-only), mainly those follow-up actions recommended for the most recent fiscal year or actions contemplated in the upcoming fiscal year. If no near term action is contemplated, elaborate on reasons for delay or describe alternate course of action.

Prior Audit recommendations included the Implementation of a branding identity program, which was effectively completed in October 2008, Monitoring the need for a full-time Transit Manager, was completed in December 2007 with the creation of a Transit Coordinator position with the City, and Improving Fare Box Ratios for Fixed Route “C” and Demand-Response were addressed with NCS service in 2006 and DAR fare adjustments in September 2009.

Item 6. Short Range Transit Plan: Identify progress made to date in implementing recommendations or improvements developed in the prior plan or current plan (including draft recommendations, if pending adoption). Include the actions related to operations, maintenance, capital projects, marketing, customer service, fare policy and other areas of the transit program covered by the SRTP. Include initiatives in coordinating improvements with other providers.

Reduce fixed-route service hours from 7:00 to 6:00 p.m. – not yet implemented. DAR service

hours were reduced from and 8:00 end time to a 7:00 end time.

Transit Staffing – Full-time Transit Coordinator recruited

Item 7. 2009/2010 Transit System Budget (transit claimants-only)

Date Transit System Budget Approved (6/16/09) :	
DESCRIPTION - Transit System Revenues	AMOUNT
Fund Balance	
2009/2010 TDA (LTF - from Annual Project and Financial Plan (Item 3)	\$962,063
Grants – Capital Projects Operating Assistance (See Item 9)	\$322,550
Passenger Fares	\$178,800
Supplemental Fares	\$20,270
Other revenue (describe) (state, local, deferred TDA from prior years)	
Other revenue (describe)	
Total Revenues	\$1,483,683
Transit System Expenditures (please summarize using as few general categories as possible for providers of a single service; <u>in the case of the County and Ride-On</u> , attach more detailed back up to itemize budget of operating and capital needs by each service being provided)	
Personnel: \$102,600	
Vehicle Maintenance and Operations: \$325,000	
Operating Contract: \$600,000	
Equipment Replacement: \$55,000	
Regional Transit \$198,200	
Miscellaneous Expenses: \$44,000	
Total Expenditures \$1,324,800	

Item 8. Did the operating budget increase over 15% from the 2008/2009 fiscal year?

YES

NO

If the answer is yes, please provide a statement identifying and substantiating the reason or need for the increase in the transit operating budget in excess of 15% above the preceding year, and identify substantial increases or decreases in the scope of operations or capital provisions for major new service (transit claimants-only, if applicable). In the case of the County, such determination is needed by individual services. In the case of Ride-On, this determination only applies to the CTSA activities/program.

Item 9. In the case of Federal transit grants, indicate required match ratios by grant type, identify source of matching funds and compliance with minimum match ratios. For Federally funded capital projects, give status and anticipated completion timeline.

Federal 5307 and 5316 grants require a 50% match ratio for operational assistance. TDA funds will be used for this match.

Item 10. To be completed by RIDE-ON Transportation ONLY. Please provide an estimate of the number of rides, and the cost per ride expected for each program in fiscal year 2009/2010 pursuant to Article 4.5, Section 99275.5. State the productivity (in riders per hour) and operating assumptions used to project the annual ridership and cost effectiveness by program (CTSA, Commuter Vanpools, Agricultural Vanpools and other TMA services). When reporting quarterly data, track actual performance versus those budget assumptions and compare measure of two previous years.

EXHIBIT A

2009/2010 TRANSPORTATION DEVELOPMENT ACT (TDA) FUND (Adopted by the SLOCOG Board 6/10/09; *Administrative Amendment 6/12/09)

Jurisdiction Transit Property	CA Department of Finance 2008 Population	Net LTF Available After RTF Exchange and all Other- Top (Note 1)	TOTAL LTF AVAILABLE TO APPORTION	Local Transportation Fund (LTF)				Rural Transit Fund												
				Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13	Col. 14	Col. 15	Col. 16	Col. 17
				Blkwy/ Fed Art 3 Sec. 99233	NH RTA (Note 2) Art 4 Sec. 99260	RTA RTF Contribution (Note 3)	Total RTA Contribution (Note 4) Art. 4 Sec. 99260	SCAT (Note 5) Art. 4 Sec. 99260	Performance Audits (SLOCOG (Note 6) Sec. 99266	To Be Determined By Current BALANCE AVAILABLE	TDA Audit Art. 3 Sec. 99245	Transit Ops and Planning Art. 4 Sec. 99260	Roads Maint Art. 3 Sec. 99400 (d)	Transit Cap/Spec Svcs Art. 8 Sec. 99400 (c)	Performance Audits (SLOCOG)	NET LTF	TOTAL RTF AWARD Sec. 99260	TOTAL LTF and RTF	TOTAL RTF CARRY- OVER Sec. 99260	TOTAL LTF and RTF CARRY-OVER
Atascadero	17,036	575,489	547,466	11,509	112,737	28,023	140,760	215,471	5,458	202,251	0	0	0	0	0	547,466	0	547,466	0	547,466
Grover Beach	28,590	965,782	918,791	19,315	189,224	47,001	236,225	0	15,000	695,752	0	0	0	0	0	918,791	0	918,791	0	918,791
Morro Bay	13,213	446,345	424,707	8,926	87,534	21,638	109,172	171,425	4,264	152,558	0	0	0	0	0	424,707	0	424,707	0	424,707
Pismo Beach	29,934	1,011,393	962,063	7,126	69,771	17,382	87,153	0	15,000	247,040	0	0	0	0	0	338,937	40,000	378,937	0	378,937
SLO County	8,003	290,616	276,427	5,612	56,893	14,185	71,082	111,902	0	728,640	0	0	0	0	0	962,063	0	962,063	0	962,063
SLO County	50,940	1,720,792	1,624,048	34,414	389,650	96,744	486,394	0	0	1,159,584	0	0	0	0	0	276,427	0	276,427	0	276,427
SLO County	110,473	3,731,862	3,468,504	74,633	1,060,715	263,358	1,324,073	95,428	2,462	2,234,268	0	0	0	0	0	3,468,504	70,000	3,538,504	33,502	3,572,006
SCAT	n/a	n/a	0	n/a	n/a	n/a	n/a	n/a	0	n/a	0	0	0	0	0	3,468,504	345,000	3,813,504	0	3,813,504
SLOCOG Admin	n/a	n/a	233,916	n/a	n/a	n/a	n/a	n/a	0	n/a	0	0	0	0	0	233,916	25,000	258,916	0	258,916
SLOCOG Planning	n/a	n/a	343,315	n/a	n/a	n/a	n/a	n/a	0	n/a	0	0	0	0	0	343,315	0	343,315	0	343,315
Rideshare	n/a	n/a	9,577	9,577	n/a	n/a	n/a	n/a	0	n/a	0	0	0	0	0	9,577	0	9,577	0	9,577
Rides-Over/CTSA	n/a	n/a	468,783	n/a	n/a	n/a	n/a	n/a	0	n/a	0	0	0	0	0	468,783	0	468,783	0	468,783
Contingency RTF	n/a	n/a	350,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0	0	0	0	0	350,000	0	350,000	0	350,000
Unexchanged RTF	n/a	n/a	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0	0	0	0	0	0	57,466	57,466	0	57,466
TOTALS	269,337	10,503,999	9,966,533	191,536	2,164,723	537,466	2,702,189	595,224	60,000	5,559,039	0	0	0	0	60,000	9,966,533	537,466	10,503,999	33,502	10,537,501

NOTES:
 1. All "off-the-top" is comprised of SLOCOG (\$577,231), Rideshare Bicycle Safety Education Program (\$9,577), Rides-On (\$468,783), and Contingency Fund (\$350,000).
 2. The RTA budget was approved May 13, 2009. Column 3 (net RTA) is the number that goes in your claim form for total contribution to RTA.
 3. \$537,466 is the total Rural Transit Fund (RTF). (The Board approved a Contingency of \$57,500 on April 8, 2009; the actual Contingency is \$57,466.)
 4. If the RTF was not exchanged for LTF, RTA would need this amount in LTF.
 5. The SCAT budget was approved April 29, 2009.
 6. Will include this amount in their claim and State Controller's Report.

*Administrative Amendment 6/12/09 to correct formula error - added Performance Audit amounts to claimants' Net LTF (Col. 14)
 Contingency distributed at the will of the SLOCOG Board