

## A G E N D A

# PLACER COUNTY TRANSPORTATION PLANNING AGENCY PLACER COUNTY AIRPORT LAND USE COMMISSION WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY PLACER COUNTY LOCAL TRANSPORTATION AUTHORITY

Wednesday, September 23, 2020 9:00 a.m.

Placer County Transportation Planning Agency 299 Nevada Street, Auburn CA 95603

### PUBLIC PARTICIPATION PROCEDURES

In order to protect public health and the safety of our Placer County citizens, Public Comment for this August 26, 2020 meeting will be offered through a remote call-in line or joining the web-based meeting. Public Comment will be opened for each agenda item in sequence. Be prepared to speak on the specific agenda item you wish to comment on when the Board Chair announces the item. Please see below for remote access to this meeting:

Remote access: <a href="https://us02web.zoom.us/j/83392389059">https://us02web.zoom.us/j/83392389059</a>

You can also dial in using your phone:

US: +1 669 900 9128

Webinar ID: 833 9238 9059

The Placer County Transportation Planning Agency is accessible to the disabled. If requested, this agenda, and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact PCTPA for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should contact PCTPA by phone at 530-823-4030, email (ssabol@pctpa.net) or in person as soon as possible and preferably at least 72 hours prior to the meeting.

- A. Flag Salute
- B. Roll Call
- C. Approval of Action Minutes: August 26, 2020

Action Pg. 1

D. Agenda Review

Action

E. Public Comment

Board of Directors Meeting Agenda
PLACER COUNTY TRANSPORTATION PLANNING AGENCY
AIRPORT LAND USE COMMISSION
WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICE AGENCY
PLACER COUNTY LOCAL TRANSPORTATION AUTHORITY
September 23, 2020
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F.	Consent Calendar: Placer County Transportation Planning Agency These items are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. Any Board member, staff member, or interested citizen may request an item be removed from the consent calendar for discussion.	_				
	1. FY 2020/21 Final State Transit Assistance (STA) Fund Allocation - \$1,757,435	Pg. 8				
	<ol> <li>2. 2020 Conflict of Interest Code Amendment</li> <li>Placer County Freeway Service Patrol Contractor Services Agreement- \$460,000</li> </ol>	Pg. 10				
G.						
Н.	<ul> <li>Fiscal Year 2020/21 Final Findings of Apportionment for the Local Transportation Fund         Mike Luken and Aaron Hoyt         <ul> <li>Receive presentation on the FY 2019/20 Local Transportation Fund and revenue projections for the Local Transportation Fund for FY 2020/21</li> <li>Approve FY 2020/21 Final Findings of Apportionment for the Local Transportation Fund</li> </ul> </li> </ul>					
I.	Executive Director's Report					
J.	Board Direction to Staff	Info				
		Info				
K.	Informational Items	Info				
	1. PCTPA TAC Minutes	Pg. 42				
	<ul> <li>Status Reports</li> <li>a. AIM Consulting – Report for August 2020</li> <li>b. Key Advocates – Report for August 2020</li> <li>c. Capitol Corridor Monthly Performance Report</li> </ul>	Pg. 44 Pg. 46 Pg. 52				
	3. Articles	Pg. 56				
	4. WPCTSA Financial Reports – June 2020	Searate Cove				
	5. PCTPA Receipts and Expenditures – July 2020	Searate Cove				

Board of Directors Meeting Agenda
PLACER COUNTY TRANSPORTATION PLANNING AGENCY
AIRPORT LAND USE COMMISSION
WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICE AGENCY
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Following is a list of our 2020 Placer County Transportation Planning Agency (PCTPA) meetings.

Board meetings are typically held the **fourth Wednesday of the month** at 9:00 a.m. except for November and December meetings which are typically combined meetings. PCTPA meetings are typically held at the Placer County Board of Supervisors' Chambers, 175 Fulweiler Avenue, Auburn, California, however this meeting is being closed to the public.

PCTPA Board Meetings – 2020				
Wednesday, January 22	Wednesday, July 22			
Wednesday February 26	Wednesday, August 26			
Wednesday, March 25	Wednesday, September 23			
Wednesday, April 22	Wednesday, October 28			
Wednesday, May 27	Wednesday, December 2			
Wednesday, June 24				



## **ACTION MINUTES**

#### **REGULAR MEETING OF THE**

Placer County Transportation Planning Agency (PCTPA)
Western Placer Consolidated Transportation Services Agency (CTSA)
Placer County Airport Land Use Commission (ALUC)
Placer County Local Transportation Authority (PCLTA)

August 26, 2020 - 9:00 a.m.
Placer County Transportation Planning Agency
299 Nevada Street, Auburn, California

## MEETING CONDUCTED REMOTELY UNDER EXECUTIVE ORDER N-29-20

ROLL CALL STAFF

John Allard Kathleen Hanley Brian Baker Aaron Hoyt Ken Broadway Shirley LeBlanc

Trinity Burruss, Chair Mike Luken, Executive Director

Jim Holmes Luke McNeel-Caird

Paul Joiner David Melko Cheryl Maki Solvi Sabol

Kirk Uhler Dan Wilkins

Chair Burruss explained the meeting procedures to the Board and public as it relates to participating by means of a teleconference under Governor Newsom's March 12, 2020 Executive Order N-25-20.

#### APPROVAL OF ACTION MINUTES – JUNE 24, 2020

Upon motion by Holmes and second by Broadway, the action minutes of June 24, 2020 were approved by the following roll call vote:

**AYES:** Allard, Baker, Broadway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins

NOES/ABSTAIN: None

#### **AGENDA REVIEW**

Upon motion by Joiner and second by Broadway, the August 26, 2020 agenda was approved as presented by the following roll call vote:

**AYES:** Allard, Baker, Broadway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins

NOES/ABSTAIN: None

#### **PUBLIC COMMENT**

No public comment.

## CONSENT CALENDAR: PLACER COUNTY TRANPOSRTATION PLANNING AGENCY (PCTPA)

- 1. Actuarial Valuation Report of Other Post-Employment Benefit Programs as of June 30, 2019
- 2. PCTPA FY 2020 CARES Act Federal Transit Administration (FTA) Section 5311 Program of Projects: \$1,013,089
- 3. FY 2020/21 Senate Bill 1 State of Good Repair (SGR) Fund Allocation \$536,546

Upon motion by Holmes and second by Uhler, the PCTPA Consent items were approved by the following roll call vote:

**AYES:** Allard, Baker, Broadway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins

NOES/ABSTAIN: None

## PUBLIC HEARING: LINCOLN REGIONAL AIRPORT LAYOUT PLAN AND NARRATIVE REPORT CONSISTENCY DETERMINATION

Staff report presented by David Melko, Senior Transportation Planner

• Conduct a Public Hearing and provide a consistency determination on the Lincoln Regional Airport Layout Plan and Narrative Report.

**Public comment:** No public comment received.

Upon motion by Joiner and second by Holmes, the PCTPA Board of Directors found that the Lincoln Regional Airport Layout Plan and Narrative Report is consistent with the Placer County Airport Land Use Compatibility Plan (ALUCP) subject to the condition that the ALUCP be updated to reflect the assumptions and proposals of the Lincoln Regional Airport Layout Plan and Narrative Report by the following roll call vote:

**AYES:** Allard, Baker, Broadway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins

NOES/ABSTAIN: None

#### 2020 UNMET TRANSIT NEEDS PROCESS AND SCHEDULE

Staff report presented by Kathleen Hanley

• Staff gave an overview on the 2020 Unmet Transit Needs Process and Schedule.

## REVENUE PROJECTIONS, OVERALL WORK PROGRAM (OWP) AMENDMENT PROCESS, AND 2022 FUNDING STRATEGY RESOURCES

Staff report presented by Mike Luken, Executive Director

• Approve the process for proceeding with revenue projections, Overall Work Program – Amendment #1, and allocating resources for the 2022 Funding Strategy outreach program.

Public comment: Michael Garabedian, Placer County Tomorrow

Upon motion by Maki and second by Broadway, the PCTPA Board of Directors approved the process for proceeding with revenue projections, the first amendment to the Overall Work Program (OWP) and the allocating of resources for the 2022 Funding Strategy outreach program by the following roll call vote:

**AYES:** Allard, Baker, Broadway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins

**NOES/ABSTAIN:** None

#### **EXECUTIVE DIRECTOR UPDATE**

Mike Luken said that staff has been working back in the office for the past couple months. Our offices are not open to the public and staff is not attending any outside meetings. We are accommodating staff with school and family issues.

Staff has been working on our SB 1 competitive grant applications. Mike said these are very difficult and large scale applications in part because we are not a self-help county. We have had to get very creative and combine our efforts by combining northeast Sacramento Counties and South Placer jurisdiction projects. We have been working very hard on a Solutions for Congested Corridors Program (SCCP) which involves 14 other agencies and put together several projects. Placer County projects include the Lincoln to Roseville Hospital Campuses to the Watt Avenue Light Rail Station, eastbound Auxiliary Lanes on Interstate 80, and the next phase of the Dry Creek Trail system. Mike said we have been ranked very high by Caltrans, a partner agency, in terms of their statewide applications. The sister application that we've submitted is under the Trade Corridor Enhancement Program (TCEP). This grant is slightly more difficult but we are combining forces with Sacramento County and Caltrans. Projects include the westbound Auxiliary Lane on Interstate 80 along with some projects that enhance goods movement in and around the Sacramento International Airport and Metro Airport.

Mike reported that John Rocco Davis, a Rocklin resident and representative of the labor community, has been appointed to the California Transportation Commission (CTC). Mike said that he and Board Member Broadway along with our state lobbyist, Mark Watts, will be going to meet Commissioner Davis.

Mr. Luken said that that we've started to discuss "reinventing transit" with our transit agencies in Placer County. We've been looking at our Short Range Transit Plans, the COVID crisis, and ways to modify transit in order to increase ridership.

Mike said that we are in the process of doing a very large update to the South Placer traffic model and updating the Tier I and Tier II SPRTA fee programs. Mike explained it will help our member agencies to have a traffic model that is more robust and attuned to traffic conditions in addition to aiding in our 2022 funding strategy as an educational tool for both internal and external communications. Mike said we've received a number of proposals under this program and will be coming back to the SPRTA Board for a contract. The update process is expected to take a couple of years.

Lastly, Mike reported that SACOG received a Rural Planning Grant to help commercial corridors. Mike said we will be working with SACOG staff to implement commercial corridor and community event types of program in the towns of Loomis, Colfax, and Meadow Vista. Mike added we will bring back updates to the Board as things happen.

#### CONTINUATION OF BOARD MEETINGS VIA VIDEO TELECONFERENCE

Staff report presented by Mike Luken, Executive Director

Upon motion by Holmes and second by Allard the Board of Directors provided direction to staff to continue via video teleconference through the end of the 2020 calendar year while looking into a hybrid situation whereby the general public and/or Board Members could participate either in-person or via teleconference by the following roll call vote:

AYES: NOES/ABSTAIN:	Allard, Baker, Broad None	dway, Burruss, Holmes, Joiner, Maki, Uhler, Wilkins
<b>ADJOURN</b> Chair Burruss adjour	rned the meeting at app	proximately 9:50. a.m.
A video of this meet	ing is available online	at <a href="http://pctpa.net/agendas2020/">http://pctpa.net/agendas2020/</a> .
Mike Luken, Executi	ive Director	Trinity Burruss, Chair
01:011011	C41 D 1	<del>_</del>
Solvi Sabol, Clerk of	the Board	



## *MEMORANDUM*

TO: PCTPA Board of Directors DATE: September 23, 2020

FROM: Mike Luken, Executive Director

SUBJECT: CONSENT CALENDAR

Below are the Consent Calendar items for the September 23, 2020 agenda for your review and action.

1. <u>FY 2020/21 Final State Transit Assistance (STA) Fund Allocation - \$1,757,435</u>
The State Transit Assistance (STA) fund is one of two fund sources made available through the Transportation Development Act and is derived from the statewide sales of diesel fuel. STA funds are dedicated to public transit operations and capital uses. The funds are initially divided up between the western slopes and Tahoe basin portions of Placer and El Dorado Counties because the Tahoe Regional Planning Agency (TRPA) spans both counties. The funds are divided based on a historical formula. The funds within the PCTPA boundary are then distributed to each jurisdiction based on population (section 99313) and on a fare revenue basis (section 99314) to those jurisdictions operating a public transit service.

The State Controller's Office (SCO) released the revised estimate for FY 2020/21 funding on August 1, 2020, which includes SB 1 revenues. COVID-19 had a dramatic impact on STA revenues due to a reduction in driving and as a result the SCO is forecasting a 39% decrease in revenues from their pre-COVID estimate released in February 2020. The attached STA Final Fund Allocation worksheet identifies \$1,757,435 in available funds and summarizes the allocation by jurisdiction. The estimate includes an approximately \$127,479 shortfall from FY 2019/20. Staff recommends that the Board approve the Final STA fund allocation for FY 2020/21. The PCTPA Technical Advisory Committee (TAC) concurred with this recommendation at its September 8, 2020 meeting.

### 2. 2020 Conflict of Interest Code Amendment

The Political Reform Act of 1974 requires every local government agency review its' Conflict of Interest (COI) code every two years. In 2018 PCTPA's COI Code was submitted to the Office of Placer County Counsel and approved by the Board of Supervisors. An amendment to PCTPA's existing COI is now required. Working with County Counsel, PCTPA's COI is amended to: 1) include all agencies that PCTPA administers, 2) constitute that provisions of CCR 18730 and any amendments adopted by the Fair Political Practices Commission shall constitute the COI of PCTPA Agencies, 3) add a category which ensures disclosure requirements from, and business positions with any organizations, agencies, or entities of the type to receive grant funding from grant programs that PCTPA Agencies administer; and 4) assign disclosure categories which specifically align with the responsibilities of designated positions. Staff recommends approval of Resolution 20-27 which amends PCTPA Agencies Conflict of Interest Code as presented.

Board of Directors Consent Calendar September 2020 Page 2

3. <u>Placer County Freeway Service Patrol Contractor Services Agreement- \$460,000</u> Placer County's Freeway Service Patrol (FSP) program was developed through a collaboration between PCTPA, Caltrans and the California Highway Patrol (CHP). A Memorandum of Understanding between the three parties was executed in 2005 that outlines the specific roles and responsibilities of each agency.

The FSP program currently consists of two tow trucks and one roving service truck, which patrol the most congested area of I-80 and SR 65 during peak commute hours. Supervised daily by the CHP, FSP operators' clear accidents, help stranded motorists, remove debris from roadways, and provide traffic control for emergency medical response teams during traffic accidents. The program's goal is to reduce non-recurring traffic congestion by keeping the flow of traffic moving and reducing the risk of secondary incidents.

Funding for the program is provided through annual allocations of State Highway Account and SB 1 funds. State funds required a 25 percent match. Matching funds are provided through federal Congestion Mitigation and Air Quality (CMAQ) grant funds.

PCTPA's existing FSP contractor is Extreme Towing. Extreme Towing has provided FSP service since January 2, 2015. The existing Contractor Service Agreement with Extreme Towing expires January 1, 2021.

On August 7, 2020, an invitation was emailed to 40 tow companies to submit proposals to contract for Placer County FSP services. The RFP was made available online via the PCTPA website, <a href="http://pctpa.net/rfps/">http://pctpa.net/rfps/</a>. Responses to proposer questions were distributed and posted on the PCTPA website on August 21, 2020. Proposals were due to PCTPA by August 28, 2020.

PCTPA received three proposals by the deadline. The proposals were evaluated by an interagency team of PCTPA, the CHP, and Sacramento Transportation Authority (STA), according to the following evaluation criteria specified in the RFP:

- Ability to execute FSP as set forth in the Scope of Services
- Business, financial, and/or towing service references
- Cost estimate, including hourly contract rate
- Towing business experience

Bonus points were also awarded for tow companies that had specialized towing certifications.

Based upon the review of proposals, the evaluation team recommends Extreme Towing for the FSP contract. Key factors cited by the evaluators include:

- Solid current performance as PCTPA's existing FSP contractor;
- Existing FSP contractor for the El Dorado County Transportation Commission;
- Existing CHP Rotation Tow contractor;

Board of Directors Consent Calendar September 2020 Page 3

- Drivers are FSP trained, with the majority of drivers having California Tow Truck Association light duty and heavy-duty truck training, considered a positive by the CHP; and
- Competitive, low cost proposal, providing a very detailed breakout of FSP cost structure.

Staff recommends that the Board authorize the Executive Director to negotiate and sign a Contractor Services Agreement for a three-year fixed term, plus two one-year option years for an amount not to exceed \$460,000 annually with the top ranked proposer, Extreme Towing. If negotiation fails with Extreme Towing, staff recommends the Board authorize negotiation with the second ranked proposer. With the change in traffic levels due to the coronavirus pandemic, staff will work with the contractor and the CHP to examine the feasibility of modifying FSP service hours. On September 8, 2020, PCTPA's Technical Advisory Committee(TAC) concurred with the staff recommendation.

LM:ML:ss

# PLACER COUNTY TRANSPORTATION PLANNING AGENCY FY 2020/21 STATE TRANSIT ASSISTANCE (STA) FUND FINAL ALLOCATION ESTIMATE (EXCLUDING TAHOE BASIN) September 2020

PUC 99313 Allocation	\$1,644,974
PUC 99314 Allocation	\$239,940
Total STA Allocation <sup>(1)</sup>	\$1,884,914
FY 2019/20 99313 Shortfall Adjustment <sup>(2)</sup>	(\$63,190)
4 Percent Allocation of PUC 99313 to WPCTSA <sup>(3)</sup>	\$65,799
Total PUC 99313 Allocation Available to Jurisdictions	\$1,515,985

#### FY 2020/2021 Jurisdiction PUC Section 99313 STA Fund Allocation

Jurisdiction	January 2020	PUC 99313 Population	PUC 99313 Population
	Population <sup>(4)</sup>	Percentage	Allocation
Placer County	103,794	26.46%	\$401,140
Auburn	14,594	3.72%	\$56,402
Colfax	2,152	0.55%	\$8,317
Lincoln	49,317	12.57%	\$190,599
Loomis	6,888	1.76%	\$26,621
Rocklin	70,350	17.93%	\$271,886
Roseville	145,163	37.01%	\$561,021
TOTAL	392,258	100.00%	\$1,515,985

Notes: (1) 2020/2021 State Transit Assistance Allocation Revised Estimate, California State Controller Division of Accounting and Reporting, August 1, 2020.

- (2) FY 2019/2020 shortfall based on Placer County Auditor, September 1, 2020.
- (3) 4% of unencumbered PUC 99313 Allocation is allocated to WPCTSA.
- (4) Table E-1: City/County Population Estimates January 1, 2019 to January 1, 2020, DOF, May 1, 2020.

PUC = Public Utilities Code

#### FY 2020/2021 Jurisdiction PUC 99314 STA Final Fund Allocation

Jurisdiction	PUC 99314 Fare Revenue	PUC 99314 Fare Revenue	PUC 99314 Fare Revenue	PUC 99314 FY 2019/20	PUC 99314 Fare Revenue	Total Jurisdiction
	Basis <sup>(5)</sup>	Percentage	Allocation	Adjustment <sup>(6)</sup>	Allocation	Allocation
Placer County	\$5,410,141	81.9%	\$196,451	(\$50,405)	\$146,046	\$547,186
Auburn	\$21,830	0.3%	\$793	(\$240)	\$553	\$56,955
Colfax	\$0	0.0%	\$0	\$0	\$0	\$8,317
Lincoln	\$0	0.0%	\$0	\$0	\$0	\$190,599
Loomis	\$0	0.0%	\$0	\$0	\$0	\$26,621
Rocklin	\$0	0.0%	\$0	\$0	\$0	\$271,886
Roseville	\$1,175,827	17.8%	\$42,696	(\$13,644)	\$29,052	\$590,073
TOTAL	\$6,607,798	100.0%	\$239,940	(\$64,289)	\$175,651	\$1,691,636

Notes: (5) 2020/2021 State Transit Assistance Allocation Revised Estimate, California State Controller Division of Accounting and Reporting, August 1, 2020.

(6) Adjustments to reconcile difference in 4th Quarter State Transit Assistance Allocation to adopted estimates, State Controller's Office, August 24, 2020.

1

## CALCULATION of FY 2020/21 PUC 99314 REVENUE BASIS ALLOCATION

99314.8 Allocation: \$ 239,940

Entity / Operator	Fare Revenue Basis (1)	Fare Revenue Percentage	_	Fare Revenue Ilocation
Placer County	\$ 5,410,141	81.9%	\$	196,451
Auburn	\$ 21,830	0.3%	\$	793
Colfax	\$ -	0.0%	\$	-
Lincoln	\$ -	0.0%	\$	-
Loomis	\$ -	0.0%	\$	-
Rocklin	\$ -	0.0%	\$	-
Roseville	\$ 1,175,827	17.8%	\$	42,696
Sub-Total Allocation 99314	\$ 6,607,798	100.0%	\$	239,940

Source: (1) 2020/2021 State Transit Assistance Allocation Revised Estimate, California State Controller Division of Accounting and Reporting, August 1, 2020.

#### 2020 CONFLICT OF INTEREST CODE FOR

# PLACER COUNTY TRANSPORTATION PLANNING AGENCY PLACER COUNTY AIRPORT LAND USE COMMISSION WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY PLACER COUNTY LOCAL TRANSPORTATION AUTHORITY

#### **September 23, 2020**

The Political Reform Act of 1974, as amended, (Gov. Code, § 81000, et seq.) requires state or local government agencies to adopt a Conflict of Interest Code. Each Conflict of Interest Code is only effective after it has been approved by the code reviewing body. The code reviewing body for Placer County Transportation Planning Agency, Placer County Airport Land Use Commission, Western Placer Consolidated Transportation Services Agency, and the Placer County Local Transportation Authority, hereinafter referred to in this Conflict of Interest Code as "PCTPA AGENCIES" is the Placer County Board of Supervisors.

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission are incorporated by reference and, together with the Appendix designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the **PCTPA AGENCIES.** 

Individuals holding designated positions shall file their statements of economic interest with **PCTPA AGENCIES**. Thereafter **PCTPA AGENCIES**' Executive Director shall review all statements of economic interest to ensure that no apparent conflict exists within the **PCTPA AGENCIES** and shall initial each statement of economic interest after his or her review is complete. Upon completion of the review process, **PCTPA AGENCIES** shall make and retain copies of the statements of economic interests and forward the originals to the designated Filing Officer, the Placer County Elections Division.

IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN APPENDIX

**APPROVED AND ADOPTED** this 23<sup>RD</sup> day of September 2020:

Ву	•		
•	Trinity Burruss		
	Chair		

#### **APPENDIX**

#### **DISCLOSURE CATEGORIES**

## **Category 1:** A person designated in this category shall disclose:

All investments in, sources of income, including gifts, loans, and travel payments, from, and business positions with business entities of the type that contract with, or provide services, goods, machinery, or equipment of the type utilized by PCTPA AGENCIES.

#### Category 2: A person designated in this category shall disclose:

All interests in real property which are located in whole or in part within or not more than two (2) miles outside the jurisdiction of PCTPA AGENCIES.

### **Category 3:** A person designated in this category shall disclose:

All investments in, sources of income, including gifts, loans, and travel payments, from, and business positions with any organization, agency, or entity of the type to receive grant funding from or through the grant programs that PCTPA AGENCIES administers.

DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
Members of the Board of Directors	1, 2, 3
Alternate Members of the Board of Directors	1, 2, 3
Executive Director	1, 2, 3
Deputy Executive Director	1, 2, 3
Senior Planner	1, 2, 3
Senior Transportation Planner	1, 2, 3
Fiscal/Administrative Officer	1
Planning Administrator	1
Associate Planner	1, 2, 3
Assistant Planner	1, 2, 3
General Counsel	1, 2
Consultants*	1, 2, 3
New Positions*	1, 2, 3

<sup>\*</sup> Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Executive Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements specified above. Such written determination shall include a description of the consultant's or new position's duties and based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov't Code § 81008.)

# A JOINT RESOLUTION OF THE PLACER COUNTY TRANSPORTATION PLANNING AGENCY PLACER COUNTY AIRPORT LAND USE COMMISSION WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY PLACER COUNTY LOCAL TRANSPORTATION AUTHORITY

## IN THE MATTER OF: AMENDING THE PCTPA AGENCIES CONFLICT OF INTEREST CODE

The following resolution was duly passed by the Placer County Transportation Planning Agency, Placer County Airport Land Use Commission, Western Placer Consolidated Transportation Services Agency, and the Placer County Local Transportation Authority, hereinafter referred to as "PCTPA AGENCIES", Board of Directors at a regular meeting held September 23, 2020 by the following vote on roll call:

**RESOLUTION: 20-27** 

Ayes:	
Noes:	
Absent:	
Signed and approved by me after its passage.	
	Trinity Burruss, Chair Placer County Transportation Planning Agency
Attest:	
Executive Director	

WHEREAS, the Political Reform Act of 1974, as amended (California Gov. Code, § 81000, et seq.) requires every state or local agency to adopt and promulgate a Conflict of Interest Code. Each and every Conflict of Interest Code is only effective after it has been approved by the code reviewing body (Gov. Code, § 87303). The code reviewing body for PCTPA AGENCIES is the Placer County Board of Supervisors (Gov. Code, § 82011, subd. (b)); and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories, shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code Sections 87300 and 87306; and

WHEREAS, PCTPA AGENCIES have recently reviewed its positions, and the duties of each position and has determined that changes to its current conflict of interest code are necessary; and

**WHEREAS**, any earlier resolutions, bylaws, and/or appendices containing PCTPA AGENCIES conflict of interest code shall be rescinded and superseded by this resolution and the attached Conflict of Interest Code;

**NOW, THEREFORE, BE IT RESOLVED** that the PCTPA AGENCIES hereby adopts the attached Conflict of Interest Code, including its Appendix of Designated Positions and Disclosure Categories.



## **MEMORANDUM**

TO: WPCTSA Board of Directors DATE: September 23, 2020

FROM: Kathleen Hanley, Associate Planner

SUBJECT: PUBLIC HEARING: PUBLIC PARTICIPATION AND TITLE VI PLAN

FOR THE WESTERN PLACER CONSOLIDATED

TRANSPORTATION SERVICES AGENCY

#### **ACTION REQUESTED**

Conduct a public hearing for the Public Participation and Title VI Plan and adopt Resolution No. 20-28, accepting as complete and adopting the Public Participation and Title VI Plan as the Civil Rights (Title VI) Program for Western Placer Consolidated Transportation Services Agency (WPCTSA).

#### **BACKGROUND**

To remain eligible for future federal funding, WPCTSA is required to ensure that its services, activities and programs are distributed in an equitable manner; and conform to Title VI of the Civil Rights Act of 1964 as amended, as well as Presidential Executive Orders 12898 and 13166. WPCTSA's last Title VI Program was adopted by the Board of Directors on September 24, 2014 and must be updated every three years.

Title VI requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. In furtherance of Title VI, Presidential Executive Orders 12898 addresses environmental justice in minority and low-income populations; and 13166 addresses services to those individuals with limited English proficiency.

#### **DISCUSSION**

The updated Public Participation and Title VI Plan contains two key changes:

- 1. The public participation and Language Assistance Plan portions of the document were updated to reflect PCTPA's updated Public Participation and Title VI Plan, adopted by the Board of Directors in September 2020.
- 2. The Public Hearing Procedures, adopted by the WPCTSA Board of Directors in March 2012, were added to the Public Participation and Title VI Plan for consistency.

Notice regarding the update to this plan was posted in the Auburn Journal and on PCTPA's website. Staff recommends the Board accept as complete and adopt the attached WPCTSA Public Participation and Title VI Plan. The Transit Operators Working Group (TOWG) and PCTPA Technical Advisory Committee (TAC) concurred with this recommendation at their respective September 1<sup>st</sup> and September 8<sup>th</sup> meetings.

KH:LM:ML:ss

**WESTERN PLACER** CONSOLIDATED **TRANSPORTATION SERVICES AGENCY** 

**PUBLIC PARTICIPATION & TITLE VI PLAN** 

Western Placer Consolidated Transportation Services Agency



This document was prepared by Western Placer Consolidated Transportation Services Agency and approved by its Board of Directors to comply with Title VI of the Civil Rights Act of 1964, including new provisions outlined in the U.S. Department of Transportation's Federal Transit Administration (FTA) Circular 4702.1B "Title VI Requirement and Guidelines for Federal Transit Administration Recipients."

To obtain services or documents in an alternate format or language, please contact PCTPA's Title VI Coordinator at (530) 823-4030 or visit <a href="mailto:pctpa.net/title-vi">pctpa.net/title-vi</a> or 299 Nevada Street, Auburn CA 95603.

Para obtener servicios or documentos en una forma or idioma diferente, por favor contacte al Coordinador del Title VI de la PCTPA o visite <u>pctpa.</u> <u>net/title-vi</u> o 299 Nevada Street, Auburn CA 95603.

Upang makakuha ng mga serbisyo o dokumento sa isang alternatibong format o wika, mangyaring makipag-ugnay sa PCTPA's Title VI Coordinator sa (530) 823-4030 o bisitahin ang <u>pctpa.net/title-vi</u> o 299 Nevada Street, Auburn CA 95603.

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## INTRODUCTION

## **ABOUT THIS PLAN**

The purpose of this policy is to establish guidelines to monitor and ensure that the Western Placer Consolidated Transportation Services Agency's transit services are in compliance with all Federal Transit Administration (FTA) Title VI requirements in order to carry out the provisions of the Department of Transportation (DOT) Title VI Regulations at 49 CFR Part 21. This policy follows the requirements detailed in FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," dated October 1, 2012.

Western Placer Consolidated Transportation Services Agency (WPCTSA) is committed to promoting inclusive public participation in all of its efforts. This document outlines WPCTSA's plan to engage Placer County's geographically and demographically diverse community. WPCTSA is also committed to operating its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. To ensure the agency is meeting that commitment, this document also includes WPCTSA's Title VI policies and procedures and efforts to provide language assistance to people with limited English proficiency.

## **ABOUT WPCTSA**

Placer County Transportation Planning Agency (PCTPA) designated Western Placer Consolidated Transportation Services Agency (WPCTSA) as the Consolidated Transportation Services Agency serving western Placer County. Western Placer Consolidated Transportation Services Agency (WPCTSA) is a joint powers agency (JPA) with the power to provide and coordinate social service transportation for the western portion of Placer County, including services for the elderly and individuals with disabilities. Under the terms of the JPA, PCTPA was designated as the administrator of WPCTSA.

WPCTSA is governed by a Board of Directors consisting of the Board of Directors of the PCTPA, the members which were appointed pursuant to California Government Code section 67911. The Board meets monthly or as needed. WPCTSA services went into effect in January 2009 and the programs provide transportation services for residents who are not able to use conventional public transit services operating within western Placer County. Each program responds to a unique transportation need not otherwise currently met or met well within a prescribed service area. Funding for WPCTSA services comes primarily from the Transportation Development Act (TDA) Article 4.5 Local Transportation Fund (LTF) apportionment. Funding also comes from the State Transit Assistance (STA) fund and Federal Transit Administration New Freedom funds.

## WPCTSA'S PROGRAMS

## **Health Express**

WPCTSA operates a non-emergency medical transportation service called Health Express. The service provides seniors and individuals with disabilities origin-to-destination service between South Placer County's communities. Health Express Service is available Monday-Friday to residents of Roseville, Rocklin, Lincoln, Loomis, Penryn, Ophir, Sheridan, Granite Bay, Auburn, Colfax, and Foresthill.

## **My Rides**

My Rides is a county-wide mileage reimbursement program for seniors and disabled individuals and Placer First 5 families with children who are unable to use public transportation for essential trips. Passengers are matched with volunteers, who provide the trips using their own vehicle and WPCTSA reimburses the volunteers. If a volunteer cannot be found, trips are provided on an Uber or Lyft type service. Seniors First, a local non-profit, manages the My Rides program.

#### **Call Center and Transit Ambassadors**

WPCTSA funds the South Placer Transit Information Center, which provides transit information and Dial-A-Ride and Health Express trip booking. Residents can get information on all of Placer County's transit providers at (916) or (530) 745-7560. WPCTSA also funds a Transit Ambassador program where volunteers help riders onboard and at stops. Both programs are operated and managed by the City of Roseville.

## **Bus Pass Subsidy Program**

WPCTSA reimburses local non-profits for 75% of the cost of bus passes for their clients. WPCTSA will reimburse tickets and passes for Roseville Transit, Placer County Transit, and Auburn Transit.







## **PUBLIC PARTICIPATION PLAN**

## **GOALS**

WPCTSA strives to promote inclusive public participation in all of its efforts. The agency believes firmly that consistent communication with Placer County residents, businesses, and visitors is key to the success of WPCTSA's planning and project development efforts. To that end, WPCTSA has developed three goals for public participation:

- 1. Increase awareness of WPCTSA's programs in Placer County and the public's involvement in transit planning and implementation.
- 2. Foster greater partnerships with local public agencies, social service organizations, and other community groups throughout Placer County.
- 3. Engage minority, low-income, and limited-English-proficiency populations to improve communication with traditionally underserved groups.

## PAST PUBLIC OUTREACH EFFORTS

Throughout the course of transportation planning and project development, WPCTSA engages stakeholders and the public by partnering with transit operators, city and county staff, and social service agencies. Because these groups interface more regularly with WPCTSA's target audience, these partnerships typically result in more robust engagement with the community. This partnership engagement includes online surveys, public workshops, and presentations to boards, commissions, and other groups.

Since the last adoption of WPCTSA's Title VI Plan in 2016, WPCTSA has worked with local social service agencies—including Seniors First, Placer Collaborative Network, Placer County Department of Health and Human Services, Placer Independent Resource Services, Alta Regional, Lighthouse Counseling and Family Resource Center, and Kids First—to improve its existing programs. WPCTSA also participated in Placer County Transportation Planning Agency's (PCTPA) annual Unmet Transit Needs and Regional Transportation Plan outreach processes. Because there were no changes to WPCTSA's programs since the last adoption of the Title VI Plan, WPCTSA has not held any workshops or conducted any independent outreach.

## REACHING MINORITY / LEP GROUPS

WPCTSA leverages its partnerships with social service organizations to reach minority and LEP populations within Placer County. In particular, Kids First and Lighthouse Counseling and Family Resource Center regularly work with minority and immigrant communities. WPCTSA trains staff at these agencies on transit systems and feedback procedures. These trusted staff are an effective connection between WPCTSA and these often hard-to-reach populations.

## PUBLIC PARTICIPATION PROCEDURES

In cases of service changes, fare increases, or other major changes to WPCTSA's programs and policies, WPCTSA adopted a formal set of Public Participation procedures in 2012. For consistency, these adopted policies are included below.

#### **Definitions**

A fare increase and/or a major service change is defined as:

- Any permanent change which increases fares on non-emergency medical transportation services; or
- A 25 percent or greater reduction in the service area, service miles, or service hours for non-emergency medical transportation services.

WPCTSA may temporarily change service for non-emergency medical transportation services to reflect emergency or other operating conditions without providing for public participation. Except in those situations where advanced notification is impractical, the WPCTSA will notify the public of the changes by requiring notices be posted in all vehicles and other means designed to inform the public at least 10 calendar days in advance.

## Public Hearing Requirements

At least one public hearing before the Board of Directors shall be conducted prior to the implementation of a transit fare increase and/or a major service change. The public hearing shall be conducted in accordance with all applicable laws, regulations, and WPCTSA administrative procedures, including the Ralph M. Brown Act (California Government Code 54950 et seq.).

Notice of the public hearing time and place shall be given by publication in a local newspaper of general circulation at least 10 calendar days in advance of the public hearing. The notice shall generally describe the nature of the proposed action, shall state that public comments will be accepted prior to and at the public hearing, shall provide an address for the submission of comments prior to the public hearing, and shall describe the means of obtaining and/or the location of additional information about the proposed action. Direct-mail notices will also be sent to appropriate agencies and stakeholders that are deemed by WPCTSA to be directly affected or involved with the proposed action; and to persons who have filed written requests with the WPCTSA for such notices. The WPCTSA may provide additional public notice at locations expected to be viewed by the users of WPCTSA transportation services. The WPCTSA may also at its discretion conduct one or more public workshops prior to the public hearing to inform users and the general public of a proposed fare increase and/or a major service change and to accept and consider public comment on the proposed changes.

## TITLE VI PLAN

## NOTICE TO BENEFICIARIES

Western Placer Consolidated Transportation Services Agency (WPCTSA) operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with WPCTSA.

For more information on WPCTSA's Civil Rights Program and the procedures to file a complaint, contact (530) 823-4030; go online at wpctsa.net; or visit 299 Nevada Street, Auburn, CA 95603.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

This notice is posted in the WPCTSA office, 299 Nevada Street, Auburn, CA and on the WPCTSA website: wpctsa.net.

## RESPONSIBILITIES AND REQUIREMENTS

According to the United States Department of Transportation, every Title VI Program must include the following information:

1. A copy of the recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI.

WPCTSA's Title VI Public Notice can be found on page 12.

- A list of locations where the recipient's Title VI notice is available.
   WPCTSA's Title VI Public Notice is posted at wpctsa.net/title-vi, and a physical copy is posted in the reception area of WPCTSA's office at 299 Nevada Street, Auburn CA 95603.
- 3. A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.
  - WPCTSA's complaint procedure can be found on page 13, WPCTSA's complaint form can be found on page 14, and both are available at wpctsa.net/title-vi.
- 4. A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission.
  - WPCTSA has never had any Title VI investigations, complaints, or lawsuits.

## RESPONSIBILITIES AND REQUIREMENTS (cont.)

5. A Public Participation Plan that includes an outreach plan to engage minority and Limited English Proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI Program submission.

This document includes WPCTSA's Public Participation Plan, which includes a summary of past outreach efforts. That plan can be found on page 6. This document also includes WPCTSA's LEP Plan, which can be found on page 10.

6. A copy of the recipient's plan for providing language assistance to persons with Limited English Proficiency (LEP), based on the DOT LEP Guidance.

This document includes WPCTSA's Language Assistance Plan, which can be found on page 10.

7. A table depicting the racial breakdown of the committee membership, and a description of efforts made to encourage the participation of minorities on committees.

WPCTSA does not have any committees. Should WPCTSA form a committee, substantial efforts would be made to ensure participation of minorities on the committee. The following table depicts the makeup of the WPCTSA Board. Board members are locally-elected and appointed by city councils and county supervisors, making it difficult for WPCTSA staff to encourage greater participation of minorities on the WPCTSA Board.

	White	Black	American Indian / Alaskan Native	Asian	Hawaiian / Pacific Islander	Two or More	Other
WPCTSA Board	100%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Placer County	82.5%	1.6%	0.4%	7.2%	0.2%	4.7%	3.1%

- 8. If the recipient has constructed a facility, the recipient shall include the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

  WPCTSA has not constructed an applicable facility.
- 9. A copy of the Board Resolution approving the Title VI plan.

WPCTSA's Board of Directors will consider this Public Participation and Title VI Plan at its September 23, 2020 meeting. An unsigned copy of the resolution is available in the appendix on page 19.

## LANGUAGE ASSISTANCE PLAN

## FOUR FACTOR ANALYSIS

## Number of LEP Persons Eligible or Likely to be Served

There are currently 15,773 people in Placer County who speak English less than very well, also known as limited-English-proficiency (LEP). The 'Safe Harbor Provision' as defined by Department of Justice, stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations.

Total Population	359,752	100%
Speak English Less Than Very Well	15,773	4.38%
Speak Spanish	7,066	1.96%
Speak a Chinese Language	1,342	0.37%
Speak Tagalog	1,320	0.37%
Speak a Slavic Language	811	0.23%
Speak Some Other Language	5,234	1.45%

Source: 2014-2018 American Community Survey

In Placer County, there are two language groups that meet the Safe Harbor's threshold: Spanish and Tagalog. More than 1,000 speak a 'Chinese Language', but because that census category includes Mandarin and Cantonese speakers, that language group does not surpass the threshold. All other language groups are currently smaller than 5% or 1,000 people, but WPCTSA will continue to monitor census data as it updates this document and adjust accordingly.

## Frequency with which LEP Persons Contact with WPCTSA

LEP persons very infrequently engage with WPCTSA staff or attend WPCTSA meetings

## Importance of the Programs, Activities Or Services Provided

Access to the transportation planning and programming processes are essential service for all Placer County residents, including those with limited-English-proficiency.

## The Resources Available to WPCTSA for LEP Outreach

WPCTSA has assessed its available resources that could be used for providing LEP assistance. In addition to providing interpretation services with 72 hours advanced request, WPCTSA will continue to work with Placer County's social service organizations that work with LEP individuals to better understand and address their needs.

## LANGUAGE ASSISTANCE MEASURES

## Interpretation and Translation

In keeping with Safe Harbor provisions, WPCTSA will provide all vital documents in English, Spanish, and Tagalog. These documents include WPCTSA's Title VI Notice, Title VI Complaint Form, and instructions for requesting translation services. WPCTSA will also provide an interpreter, upon request at least 72 hours in advance, at meetings and workshops. Meeting flyers and other materials will indicate this provision. Upon contact with an LEP individual, WPCTSA staff will utilize interpretation to understand the individuals needs and desire for engagement and tailor the response according to their need.

## Staff Training

All WPCTSA staff will be supplied with this document and will receive training on:

- Language assistance services WPCTSA offers
- How to handle a Title VI and/or LEP complaint

## Monitoring and Updating the Language Assistance Plan

This Language Assistance Plan will continue to be updated every three years in conjunction with the Public Participation and Title VI Plan update. At that time, WPCTSA staff will evaluate changes in LEP population size and adjust this plan as necessary.

## Availability the Language Assistance Plan

WPCTSA will include the Language Assistance Plan along with the Title VI Program on its website at wpctsa.net/title-vi. Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. Copies of the Language Assistance Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions regarding this plan should be directed to the WPCTSA Title VI Coordinator:

WPCTSA Title VI Coordinator 530-823-4030 pctpa@pctpa.net 299 Nevada St Auburn, CA 95603

## **APPENDIX**

## NOTICE TO BENEFICIARIES

Western Placer Consolidated Transportation Services Agency (WPCTSA) operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with WPCTSA.

For more information on WPCTSA's Civil Rights Program and the procedures to file a complaint, contact (530) 823-4030; go online at wpctsa.net; or visit 299 Nevada Street, Auburn, CA 95603.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

This notice is posted in the WPCTSA office, 299 Nevada Street, Auburn, CA and on the WPCTSA website: wpctsa.net.

## **AVISO A LOS BENEFICIARIOS**

Western Placer Consolidated Transportation Services Agency (WPCTSA) opera sus programas y servicios sin distinción de raza, color y origen nacional de acuerdo con el Título VI de la Ley de Derechos Civiles. Cualquier persona que crea que ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante WPCTSA.

Para obtener más información sobre el Programa de Derechos Civiles de WPCTSA y los procedimientos para presentar una queja, comuníquese con (530) 823-4030; conéctese a wpctsa.net; o visite 299 Nevada Street, Auburn, CA 95603.

Un denunciante puede presentar una denuncia directamente ante la Administración Federal de Tránsito mediante la presentación de una denuncia ante la Oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, Edificio Este, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Este aviso está publicado en la oficina de WPCTSA, 299 Nevada Street, Auburn, CA y en el sitio web de WPCTSA: wpctsa.net.

## **APPENDIX**

## PAUNAWA SA MGA NAKIKINABANG

Ang Western Placer Consolidated Transportation Services Agency (WPCTSA) ay nagpapatakbo ng mga programa at serbisyo nang hindi isinasaalang-alang ang lahi, kulay at pambansang pinagmulan alinsunod sa Pamagat VI ng Batas sa Karapatang Sibil. Ang sinumang tao na naniniwalang na-agrabyado ng anumang labag sa batas na diskriminasyon sa ilalim ng Pamagat VI ay maaaring magsampa ng isang reklamo sa WPCTSA.

Para sa karagdagang impormasyon sa Programang Mga Karapatan Sibil ng WPCTSA at ang mga pamamaraan upang maghain ng isang reklamo, makipag-ugnay sa (530) 823-4030; mag-online sa wpctsa.net; o bisitahin ang 299 Nevada Street, Auburn, CA 95603.

Ang isang nagrereklamo ay maaaring mag-file ng isang reklamo nang direkta sa Federal Transit Administration sa pamamagitan ng paghahain ng isang reklamo sa Opisina ng Mga Karapatang Sibil, Pansin: Pamagat ng Programa ng Pamagat VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Ang paunawang ito ay nai-post sa tanggapan ng WPCTSA, 299 Nevada Street, Auburn, CA at sa website ng WPCTSA: wpctsa.net.

## TITLE VI COMPLAINT PROCEDURES

1. Any person who believes that they have been subjected to discrimination may file a written complaint with Western Placer Consolidated Transportation Services Agency (WPCTSA). Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident. The complaint procedure may be obtained from the WPCTSA web page at wpctsa.net/title-vi. The complaint procedure may be requested via e-mail at pctpa@pctpa.net. The complaint procedure can also be obtained by writing to the WPCTSA Title VI Coordinator:

Title VI Coordinator Placer County Transportation Planning Agency 299 Nevada Street Auburn, California 95603

- 2. The complaint must be completed on the form included in this document. The complaint may be sent to the Title VI Coordinator at the address noted above.
- 3. Complainants also have the right to complain directly to the Federal Transit Administration Office of Civil Rights at:

Attention Title VI Program Coordinator, East Building, 5th Floor – TCR 1200 New Jersey Ave., SE Washington, DC 20590

- 4. WPCTSA will begin an investigation within fifteen (15) working days of receipt of a complaint.
- 5. WPCTSA will complete the investigation within ninety (90) days of receipt of the complaint. If additional time for investigation is needed, the Complainant will be contacted. A written investigation report will be prepared by the investigator. This report shall include a summary description of the incident, findings and recommended action.
- 6. A closing letter will be provided to the complainant. The respondent will also receive a copy of the closing letter. If the complainant is unsatisfied with the decision, they have 30 days from the date of WPCTSA's closing letter or letter of finding to appeal to the WPCTSA Executive Director or their designee. The complainant is entitled to review the denial, to present additional information and arguments, and to separation of functions (i.e., a decision by a person not involved with the initial decision to deny eligibility). The complainant is entitled to receive written notification of the decision of the appeal and the reasons for it.

## TITLE VI COMPLAINT FORM

Section 601, under Title VI of the Civil Rights Act of 1964 states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." If you feel you have been discriminated against, please provide the following information in order to assist WPCTSA in processing your complaint.

SECTION 1 (Please print clearly):
Name:
Address:
City, State, Zip Code:(Home)(Work)  Telephone Number:(Home)(Work)  Accessible format requirements?(Large print)(Audiotape)(TTY)  (Other)
SECTION 2 Are you filing this complaint on your own behalf?(Yes)(No) If you answered yes to this question, go to Section 3. If not, supply the name and relationship of the person for whom you are complaining:  Name:Relationship:
Please explain why you have filed for a third party:  Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of the third party(Yes)(No)  SECTION 3
I believe the discrimination I experienced was based on (check all that apply):
Race Color National Origin Date and Place of Occurrence:
Name (s) and Title(s) of the person (s) who I believe discriminated against me:
The action or decision which caused me to believe I was discriminated against is as follows:(Please include a description of what happened and how your benefits were denied, delayed or affected):

## TITLE VI COMPLAINT FORM (cont.) Please list any and all witnesses' names and phone numbers:

	sses' names and phone numbers:	
	on would you like to see taken?	
SECTION 4 Have you previously filed a 1	Γitle VI complaint with this agency	/?(Yes)(No)
SECTION 5 Have you filed this complair court?(Yes)(No)	nt with any other Federal, State, o	r local agency, or with any
If yes, check all that apply: Federal Agency Feder Local Agency	ral Court State Agency	State Court
complaint was filed. Name:	about a contact person at the	
Address:		
You may attach any written your complaint.	materials or other information th	nat you think is relevant to
I believe the above informati	ion is true and correct to the best	of my knowledge.
Signature and date required	below:	
Signature	Printed Name	Date

## RECEIPT OF TITLE VI COMPLAINT LETTER

Date

Complainant 1234 Main St. Auburn, CA 95603

**Dear Complainant:** 

This letter is to acknowledge receipt of your complaint against WPCTSA alleging \_\_\_\_\_\_

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning (530) 823-4030, or write to:

Western Placer Consolidated Transportation Services Agency Attn: Title VI Coordinator 299 Nevada Street Auburn, CA 95603

Sincerely,

WPCTSA Title VI Coordinator

## FINDING THAT COMPLAINT IS SUBSTANTIATED

Date

Complainant 1234 Main St. Auburn, CA 95603	
Dear Complainant:	
The matter referenced in your letter of Title VI violation has been investigated.	(date) against WPCTSA alleging a
(An/Several) apparent violation(s) of Title VI of those mentioned in your letter (was/were) identhese deficiencies.	9
Thank you for calling this important matter to during our review of this matter. (If a hearing is be appropriate.) You may be hearing from this of services should be needed during the administra	requested, the following sentence may fice, or from Federal authorities, if you
Sincerely,	
WPCTSA Title VI Coordinator	

## **APPENDIX (cont.)**

#### FINDING THAT COMPLAINT IS NOT SUBSTANTIATED

Date

Complainant 1234 Main St. Auburn, CA 95603
Dear Complainant: The matter referenced in your complaint of (date) against Western Placer Consolidated Transportation Services Agency (WPCTSA), alleging has been investigated.
The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, have in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.
WPCTSA has analyzed the materials and facts pertaining to your case for evidence of WPCTSA's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.
I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.
You have the right to appeal this decision within 30 days of receipt of this final written decision from WPCTSA.
Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to contact me.
Sincerely,
WPCTSA Title VI Coordinator

## **APPENDIX** (cont.)

**BOARD RESOLUTION** 

# Pending WPCTSA Board Consideration

#### WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY

IN THE MATTER OF: A RESOLUTION TO ADOPT A CIVIL RIGHTS (TITLE VI) PROGRAM FOR THE WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY **RESOLUTION NO. 20-28** 

Services Agency at a regular meeting held September 23, 2020 by the following vote on roll call:
AYES:
NOES:
ABSENT:
Signed and approved by me after its passage
Chair Western Placer Consolidated Transportation Services Agency
Executive Director

The following resolution was duly passed by the Western Placer Consolidated Transportation

WHEREAS, Western Placer Consolidated Transportation Services Agency is an eligible grant recipient of Federal Transit Administration (FTA) funds, including Section 5317 New Freedom funds and Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds;

WHEREAS, Western Placer Consolidated Transportation Services Agency is required to ensure that its federally supported transportation services, activities and programs are distributed in an equitable manner; and conform to Title VI of the Civil Rights Act of 1964 as amended, as well as Presidential Executive Orders 12898 and 13166; and

**WHEREAS,** Western Placer Consolidated Transportation Services Agency previously adopted a Title VI Non-Discrimination Policy on September 24, 2014; and

**WHEREAS**, an updated Title VI Program meeting federal requirements is required to be submitted to the Federal Transit Administration every three years; and

WHEREAS, public notices announcing the availability of the Public Participation and Title VI Plan document for review were published in the Auburn Journal, posted on-line at www.pctpa.net, and made available to interested stakeholders.

## NOW, THEREFORE, BE IT RESOLVED THAT WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY HEREBY:

1. Adopt a Public Participation and Title VI Plan for Western Placer Consolidated Transportation Services Agency, attached hereto and incorporated herein by reference.



#### **MEMORANDUM**

TO: PCTPA Board of Directors DATE: September 23, 2020

FROM: Aaron Hoyt, Senior Planner

Mike Luken, Executive Director

**SUBJECT:** Fiscal Year 2020/21 Final Findings of Apportionment for the Local

**Transportation Fund** 

#### **ACTION REQUESTED**

1. Receive a presentation by HDL and Staff on the FY 2019/20 Local Transportation Fund and revenue projections for the Local Transportation Fund for FY 2020/21.

2. Approve the Fiscal Year FY 2020/21 Final Findings of Apportionment for the Local Transportation Fund (LTF).

#### **BACKGROUND**

As the Regional Transportation Planning Agency (RTPA) for Placer County, PCTPA is responsible for the administration of the Transportation Development Act (TDA) funds. The TDA was established in 1971 to provide transportation funding though the Local Transportation Fund (LTF) derived from ¼ cent of the general sales tax collected statewide and the State Transit Assistance (STA) fund derived from the statewide sales of diesel fuel. LTF funds make up a significant share of PCTPA's member agency revenues and are the primary funding source for PCTPA. LTF funds are allocated for specific transportation uses as prioritized by the TDA and intended for public transportation uses prior to those for alternative transportation modes, streets and roads.

#### **DISCUSSION**

Staff has been tracking the impact of the COVID-19 pandemic on FY 2019/20 LTF claims and upcoming FY 2020/21 tax revenues. When COVID-19 began, staff estimated a 20% reduction in FY 2020/21 tax revenues. Prior to COVID 19, the LTF was tracking 1% down for the months of October through December 2019 and by the end of March 2020 was tracking 3% down overall. By the end of June 2020, LTF revenues were down a total of 5.6% for the fiscal year. While this appears to be a positive signal moving into FY 2020/21, uncertainties surrounding the full reopening of Placer County businesses, the unemployment rate, and a possible second round of the federal payroll protection program will influence the economic recovery and sales tax collections for FY 2020/21. The California Department of Tax and Fee Administration (CDTFA) also changed their LTF payment methodology to incorporate the ability for businesses to defer sales tax payments which may over inflate certain monthly payments during the current economic situation.

PCTPA is working with HDL Companies, who is also providing sales tax advisory services for the City of Rocklin, City of Lincoln, Placer County and for PCTPA for the 2020 and 2022 Funding Strategy outreach programs. The City of Roseville utilizes MuniServices who provides similar advisory services and has worked closely with HDL. Like other MPO's and RTPA's around the state, we are utilizing HDL at a much higher level to better assess the FY 2020/21

PCTPA Board of Directors FY 2020/21 FINAL FINDINGS OF APPORTIONMENT September 23, 2020 Page 2

financial outlook and provide insight on the financial recovery timeline in Placer County. The final FY 2020/21 LTF Apportionment contained in Attachment 1 assumes a combination of an approximate \$772,000 shortfall and a negative 17% reduction in revenue compared to FY 2019/20. PCTPA and HDL will make a joint presentation at the September Board meeting providing more details on LTF tax revenues and an overall assessment of the Placer County sales tax generation for each business sector. This presentation will also inform the FY 2020/21 Overall Work Program Amendment #1 scheduled for the October Board meeting. The proposed findings of apportionment were presented to the Technical Advisory Committee on September 11, 2020. Like what was done in 2008-2009, staff will provide the Board a mid-ear update in January or February on the status of the Local Transportation Fund, along with any adjustments that need to be made.

AH:LM:ML:ss

# PLACER COUNTY TRANSPORTATION PLANNING AGENCY (PCTPA) FINAL FINDINGS OF APPORTIONMENT FOR FY 2020/2021 LOCAL TRANSPORTATION FUND (LTF)

September 2020

		FY 2019/2020 Estimated Fund Balance Subtotal <sup>(1)</sup>	FY 2020/2021 Revenue Subtotal	FY 2020/2021 Apportionment Total
PLACER COUNTY LTF REVENUE ESTIMATE		(\$772,131)	\$20,748,016	\$19,975,885
TRPA Revenue Estimate <sup>(2)</sup> TRPA LTF Fund Balance	2.8369%	(\$26,589)	\$588,607	\$588,607 (\$26,589)
TRPA TOTAL		, , ,	\$588,607	\$562,018
County Auditor Administrative Costs			\$264	\$264
BALANCE AVAILABLE FOR APPORTIONMENT BY TRPA				\$561,754
PCTPA Revenue Estimate PCTPA LTF Fund Balance	97.1631%	(\$745.542)	\$20,159,410	\$20,159,410 (\$745,542)
PCTPA TOTAL		(\$1.10,0.12)	\$20,159,410	\$19,413,868
County Auditor Administrative Costs			\$8,736	\$8,736
PCTPA Administrative and Planning Costs <sup>(3)</sup>			\$475,000	\$475,000
Pedestrian and Bicycle Allocation (4)		(\$14,911)	\$393,513.48	\$378,603
Community Transit Service Article 4.5 Allocation (5)		(\$29,225)	\$771,286	\$742,061
BALANCÉ AVAILABLE FOR APPORTIONMENT BY PCTPA		(\$701,406)	\$18,510,874	\$17,809,468

Apportionment of FY 2020/2021 PCTPA LTF Revenue Estimate by Jurisdiction							
Jurisdiction	Population January 1, 2020	Percent (%)	FY 2020/21 Allocation Subtotal	FY 2019/20 Carryover Apportionment <sup>(6)</sup>	Revenue Apportionment		
PLACER COUNTY	103,794	26.46%	\$4,898,097	(\$190,406)	\$4,707,691		
AUBURN	14,594	3.72%	\$688,699	(\$26,217)	\$662,482		
COLFAX	2,152	0.55%	\$101,554	(\$3,776)	\$97,778		
LINCOLN	49,317	12.57%	\$2,327,297	(\$87,942)	\$2,239,355		
LOOMIS	6,888	1.76%	\$325,049	(\$12,545)	\$312,503		
ROCKLIN	70,350	17.93%	\$3,319,856	(\$126,145)	\$3,193,711		
ROSEVILLE	145,163	37.01%	\$6,850,323	(\$254,375)	\$6,595,948		
TOTAL	392,258	100.00%	\$18,510,874	(\$701,406)	\$17,809,468		

Apportionment of FY 2020/2021 PCTPA LTF Revenue Estimate Available to Claimant						
Jurisdiction	Revenue Apportionment	Planning Contribution <sup>(/)</sup>	Available to Claimant <sup>(8)</sup>			
PLACER COUNTY	\$4,707,691	(\$188,308)	\$4,519,383			
AUBURN	\$662,482	(\$26,499)	\$635,983			
COLFAX	\$97,778	(\$3,911)	\$93,867			
LINCOLN	\$2,239,355	(\$89,574)	\$2,149,781			
LOOMIS	\$312,503	(\$12,500)	\$300,003			
ROCKLIN	\$3,193,711	(\$127,748)	\$3,065,963			
ROSEVILLE	\$6,595,948	(\$263,838)	\$6,332,110			
TOTAL	\$17,809,468	(\$712,379)	\$17,097,090			

#### NOTES:

- 1) FY 2019/2020 LTF balance based on August 26, 2020 Final LTF Fund Estimate provided by the Placer County Auditor.
- 2) Tahoe Regional Planning Agency receives funds proportional to its population within Placer County (see box below).
- 3) Apportioned per Section 7.1 PCTPA Rules & Bylaws for FY 2020/2021 Final Overall Work Program and Budget, May 27, 2020.
- 4) Pedestrian and Bicycle Allocation is 2% of the remaining apportionment, per PCTPA Board direction.
- 5) Community Transit Service Article 4.5 allocation is up to 5% of the remaining apportionment, per PCTPA Board direction. FY 2020/2021 Article 4.5 allocation is set at 4%.
- 6) FY 2019/20 carryover apportionment (see next page) uses May 2019 DOF population estimates.
- 7) PCTPA receives 4% of apportionment for regional planning purposes and implementation of FAST-Act planning requirements.
- 8) Assumed 17.16% negative growth rate in addition to the actual shortfall for FY 19/20.

January 1, 2020 DOF Population Estimates <sup>1</sup>				
TRPA Population <sup>2</sup>		11,453	2.8369%	
PCTPA Population		392,258	97.1631%	
TC	TAL	403,711	100.00%	

#### Sources:

- 1. Table E-1: City/County Population Estimates January 1, 2019 to January 1, 2020, DOF, May 1, 2020.
- 2. Western Slope and Tahoe Basin for Placer County as of January 1, 2020, DOF, May 15, 2020.

#### Calculation of FY 2019/20 PCTPA LTF Carryover Using 2019 Population - Western Slope

Amount of FY 2019/2020 Carryover: (\$701,406)

POPULATION					
JURISDICTION	January 1, 2019	PERCENT	ALLOCATION		
PLACER COUNTY	104,526	27.15%	(\$190,406)		
AUBURN	14,392	3.74%	(\$26,217)		
COLFAX	2,073	0.54%	(\$3,776)		
LINCOLN	48,277	12.54%	(\$87,942)		
LOOMIS	6,887	1.79%	(\$12,545)		
ROCKLIN	69,249	17.98%	(\$126,145)		
ROSEVILLE	139,643	36.27%	(\$254,375)		
TOTAL	385,047	100.00%	-\$701,406		

#### Sources:

- Table E-1: City/County Population Estimates January 1, 2018 to January 1, 2019, DOF, May 1, 2019.
   FY 2019/2020 LTF balance based on August 26, 2020 Revised LTF Fund Estimate provided by the Placer County Auditor.



# PLACER COUNTY TRANSPORTATION PLANNING AGENCY PLACER COUNTY AIRPORT LAND USE COMMISSION WESTERN PLACER CONSOLIDATED TRANSPORTATION SERVICES AGENCY PLACER COUNTY LOCAL TRANSPORTATION AUTHORITY

#### **Technical Advisory Committee Meeting Minutes**

September 8, 2020 - 3:00 pm

#### **ATTENDANCE**

#### **Technical Advisory Committee (TAC)**

Chris Ciardella, City of Auburn
Fallon Cox, Caltrans
Araceli Cazarez, City of Lincoln
Keith Jukes, City of Rocklin
Justin Nartker, City of Rocklin
Mary Rister, City of Rocklin
Jake Hanson, City of Roseville
Jason Shykowski, City of Roseville
Mark Johnson, City of Roseville
Amber Conboy, Placer County

#### **Staff**

Kathleen Hanley
Aaron Hoyt
Shirley LeBlanc
Mike Luken
Luke McNeel-Caird
David Melko
Solvi Sabol

This meeting was conducted via video conference call.

#### FY 2020/21 Local Transportation Fund (LTF) Apportionment

Mike Luken explained that we are going to put off most of the discussion regarding LTF until Friday's meeting. Mike said that because of the uncertainty given the COVID environment, we are trying to be prudent and careful in planning for LTF apportionments. Mike added that we retained the services of HDL to verify what we are seeing for FY 2019/20 and decipher how and what to project for FY 2020/21.

#### Final FY 2020/21 State Transit Assistance (STA) Allocation Estimate

Aaron Hoyt presented the FY 2020/21 STA allocation estimate. Aaron said that the revised estimate released by the State Controller's Office forecast a 39% decrease in revenues from their estimate released in February 2020. The estimate shows approximate \$127,000 in shortfall for Placer County jurisdictions. The Final Fund Allocation reflects \$1,757,435 available to jurisdictions which will be allocated by population and fare revenue. The TAC concurred with bringing this to the Board for approval this month.

#### Freeway Service Patrol (FSP) Contractor Services Agreement

David Melko gave an update on the current FSP services in Placer County and showed the FSP service area. David said the contract for the current FSP contractor, Extreme Towing, will expire at the end of the year. We issued an invitation to bid this service to forty tow companies, of which eight downloaded the Request for Proposal (RFP). We received three proposals – 1) Extreme Towing, 2) All American, and 3) Sierra Hart. The evaluation team was made up of two PCTPA staff, two CHP Officers who monitor and supervise the FSP operators in the region, and a staff member from the Sacramento Transportation Authority (STA) who runs FSP service in the Sacramento region. Extreme Towing was the highest ranked proposer. David said that we plan on taking a request to negotiate and sign a contract with Extreme Towing for an amount not to exceed \$460,000 as a consent item to the Board this month. The contract would start January 4, 2021. The TAC concurred.

#### **WPCTSA Title VI Plan**

Kathleen Hanley explained that to remain eligible for future federal funding, WPCTSA is required to adopt a Public Participation Title VI Plan to ensure that services, activities, and programs are distributed equitably. This plan has been updated to include census data which reflect the limited English-speaking population. The Transit Operator's Working Group (TOWG) and TAC concurred with bringing this to the Board for adoption this month.

#### **Caltrans Report from Planning Staff**

Fallon Cox reported that the SR 49 Comprehensive Multimodal Corridor Plan is being cancelled due to the PG&E outage issues. Sue Takhar will be rescheduling and sending an invite shortly.

**Sales Tax Projections Meeting:** Friday, September 11<sup>th</sup> – 10:00 am **PCTPA Board Meeting:** Wednesday, September 23<sup>rd</sup> – 9:00 am **Tuesday**, October 13<sup>th</sup> - 3:00 pm

The TAC meeting concluded at approximately 3:22 pm.

ML:LM:ss



#### **MEMORANDUM**

TO: Mike Luken

FROM: AIM Consulting

DATE: September 9, 2020

**RE:** August Monthly Report

The following is a summary of communications and public information work performed by AIM Consulting (AIM) on behalf of Placer County Transportation Planning Agency (PCTPA) in the month of August.

AIM assisted with media relations and public information. AIM maintained, drafted, published, and promoted content for PCTPA social media to share current information about PCTPA projects, programs, and activities. AIM also assisted in releasing information about the California Transportation Foundation awards.

Below are activity summaries of AIM's work:

#### PCTPA.net & Social Media

AIM continued posting social media updates on the PCTPA Facebook, Twitter, and Instagram to highlight the work being done by and on behalf of PCTPA, other transportation projects in the Placer region, Placer County's response to the COVID-19 crisis and other transportation and service update news.

Key social media posts included:

- Hidden Falls Regional Park Trails Expansion Project
- Placer County Resort Triangle Transportation Plan Outreach
- CTF Thank you Video
- Capitol Corridor COVID update
- Roseville Transit COVID infographic
- North Tahoe Town Center Crossing guard program
- Roseville Transit service update
- Placer County 211
- Roseville Transit Bus Tracker
- Capitol Corridor ticket-purchasing update
- Placer County Heat safety infographic

### PCTPA August 2020 Monthly Report Page 2 of 2

- Roseville Transit mobility training post
- Capitol Corridor Rail safety awareness
- City of Roseville Oak Ridge Bridge update photo
- Capitol Corridor cleaning/safety infographic
- Roseville Transit Labor Day service update

#### Current social media page statistics include:

- Facebook 1,803 Followers
  - o *Previously 7/31: 1,801*
- Twitter 1,382 Followers
  - o Previously 7/31: 1,386
- Instagram 1,043 Followers
  - o *Previously 7/31: 1,045*

#### Key website analytics include:

- Total page views for the PCTPA website during August: 2,440
  - o 12.8% of views were on the Main Page
  - o 12.6% of views were on the Placer County bike maps page
  - o 6.1% of views were on the Agendas 2020
- Total page views for Interstate 80 / Highway 65 Interchange Improvements website during August: 174

#### **CTF Awards Messaging**

AIM finished developing and distributed a "Thank You" video to CTF for the 80/65 Interchange Improvement Project being awarded Conventional State Highway project of the year. AIM launched the video on all social media platforms.

#### Media Relations

AIM continued to monitor industry and local news to identify outreach opportunities as well as support the Agency's efforts to address local transportation and transit issues.

#### **Project Assistance**

AIM managed the Interstate 80 / Highway 65 website and collected community email sign-ups. AIM also managed social media and community comments regarding the project.



1701 Pennsylvania Avenue Washington, D.C. 20006 (703)340-4666 www.kevadvocates.com

August 31, 2020

To: PCTPA

From: Sante Esposito

Subject: August Monthly Report

Note: Congress is in recess until after Labor Day.

#### **Infrastructure (The Congress)**

At this point, the key to infrastructure happening is the highway bill. With the FAST Act expiring Sept. 30, something needs to happen for highway, transit and rail funds to continue to flow to the states. On July 1, the House included FAST Act reauthorization in its mega infrastructure bill (H.R. 2, "Moving Forward Act"). The bill passed the House mostly on a partisan vote (all Democrats in favor plus 6 Republicans). We checked with the House and Senate FAST Act authorizing committees to learn their plans going forward. The T&I Committee said that its their position that if a highway bill is going to happen, it's going to be in the context of a mega infrastructure bill. The Senate reported its highway bill and its WRDA bill (two bills: AWIA (America's Water Infrastructure Act) and DWIA (Drinking Water Infrastructure Act)). The Senate Environment and Public Works Committee sees the Senate infrastructure bill as being these three bills, but the Senate hasn't brought any of the three to the Floor yet nor have other Senate committees taken action on their jurisdictional portions of the FAST Act.

#### **Infrastructure (The White House)**

To review, the President's FY21 Budget has two major infrastructure components. The first is a \$810 billion, 10-year reauthorization of surface transportation programs. The second is a \$190 billion in investments across a range of infrastructure, as follows:

- \$60 Billion for a new Building Infrastructure Great grants program: This "megaprojects" program will focus on delivery of such projects across a range of sectors: surface transportation road, bridge, rail, transit, pipeline, landside port, and intermodal connection capital investments; lock, dam, and canal investments; drinking water and waste treatment capital investments; and energy and broadband capital investments.
- \$50 billion for a new Moving America's Freight Safely and Efficiently program.

This program will support projects with significant economic, mobility, and safety benefits on our strategic highway, rail, port, and waterway freight networks.

- \$35 billion for a new Bridge Rebuilding program. This program will make targeted investments in critical bridge infrastructure to restore them to good condition. \$12 billion will be provided for "off- system" bridges allocated via formula, and \$23 billion will be provided for larger bridges via a competitive process.
- \$25 billion for a new Revitalizing Rural America program. This program focuses on the needs and contributions to our economy made by rural communities and helps them deliver broadband, transportation, water and other infrastructure projects.
- \$20 billion for a Transit State of Good Repair Sprint program. The program will focus exclusively on rehabilitating existing transit assets (no new capacity projects).
- **\$6.5** billion for a Public Lands Infrastructure Fund. This program would address the deferred maintenance backlog in our national parks, forests, wildlife refuges and other public lands, along with Bureau of Indian Education
- WIIN grant program as that falls under the jurisdiction of the Senate Energy and Natural Resources Committee;

#### **Senate Highway Bill**

FAST Act reauthorization required by Sept. 30 when current program expires. Senate EPW has reported its version of the bill. Other Senate committees that need to act include Banking (mass transit), Commerce (trucking, rail and safety), and Finance (how to pay for the bill). Senate Banking Committee held an authorization hearing on Feb. 25.

To review, the EPW bipartisan bill would authorize \$287 billion in highway spending, 90-percent of which would be distributed to the states by formula. The bill also features a title on climate change, which would authorize \$10.8 billion for various programs addressing resiliency and other climate issues over the next five fiscal years. That includes \$1 billion for electric, hydrogen, and natural gas vehicle charging and fueling stations. It would also provide billions for programs aimed at curbing emissions and reducing congestion and truck idling. The legislation would also streamline infrastructure permitting and set a two-year target for environmental reviews. Lastly, the bill would authorize \$12.5 million per year to fund state and reginal pilot testing of user-based alternative revenue mechanisms to the gas tax.

#### **House FY21 Transportation Appropriations Bill**

H.R. 7617 also includes the Transportation Appropriations bill, as follows:

- \$1 billion for **National Infrastructure Investments** (**TIGER/BUILD**), equal to the FY 2020 enacted level and the President's budget request
- \$3 million to support the Highly Automated Systems Safety Center of

**Excellence** established in fiscal year 2020. This program was not in the President's budget request

- \$10 million for **Transportation Planning Grants** to assist areas of persistent poverty. This new competitive grant program was not in the FY 2020 enacted bill or the President's budget request
- \$1 billion for discretionary **Highway Infrastructure Programs**, a decrease of \$1.2 billion below the FY 2020 enacted level and \$1 billion above the President's budget request
- \$881 million for the **Federal Motor Carrier Safety Administration**, consistent with the INVEST in America Act, an increase of \$202 million above the FY 2020 enacted level and \$179 million above the President's budget request
- \$1.3 billion for the **National Highway Traffic Safety Administration**, consistent with the INVEST in America Act, an increase of \$268 million above the FY 2020 enacted level and \$293 million above the President's budget request
- \$3 billion for the **Federal Railroad Administration**, an increase of \$201.8 million above the FY 2020 enacted level and \$1 billion above the President's budget request
- \$2.05 billion for **Amtrak**, an increase of \$50 million above the FY 2020 enacted level and \$1.1 billion above the President's budget request
- \$18.9 billion for the **Federal Transit Administration**

#### **Senate FY21 Appropriations Bills**

Hearings continue. No markups scheduled.

#### **Earmarks**

**Status:** No new developments. Continue to monitor in conjunction with the Office of House Majority Leader.

To review, recent reports indicate discussion, and in some cases real interest, in bringing back earmarks. Many House Democrats have voiced support for overturning the current ban on earmarks. Most noticeably is Majority Leader Hoyer who is shopping an earmark return plan that would require for every earmark the recipient be a public, not a private entity, the Member requesting the earmark be identified, the earmark project be located in the Member's district/state, and the Member acknowledge under penalty that he or she has no vested interest in the earmark project. Transparency and accountability, Hoyer says, are the cornerstones of his proposal. To date, House Republicans are either opposed or silent on the return as are Senate republicans. Senate Democrats support overturning the ban with accompanying stringent rules.

#### Bill Tracking

H.R.4780 — 116th Congress (2019-2020)

**National Infrastructure Investment Corporation Act of 2019** 

Sponsor: Rep. Carbajal, Salud O. [D-CA-24] (Introduced 10/22/2019) Cosponsors: (0)

**Committees:** House - Transportation and Infrastructure

#### H.R.4687 — 116th Congress (2019-2020)

#### **SMART Infrastructure Act**

Sponsor: Rep. Rouda, Harley [D-CA-48] (Introduced 10/16/2019) Cosponsors: (3, now 5) Committees: Transportation and Infrastructure; Science, Space, and Technology; Agriculture; Energy and Commerce

#### <u>S.352</u> — 116th Congress (2019-2020)

#### **BUILD Act**

Sponsor: <u>Sen. Cornyn, John [R-TX]</u> (Introduced 02/06/2019) Cosponsors: (1) Committees: Finance Increases from \$15 billion to \$20.8 billion the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.

#### <u>H.R.180</u> — 116th Congress (2019-2020)

#### **Build America Act of 2019**

Sponsor: Rep. Hastings, Alcee L. [D-FL-20] (Introduced 01/03/2019) Cosponsors: (7, now 12) Committees: Transportation and Infrastructure and Ways and Means Directs the Department of Transportation (DOT) to carry out a national infrastructure investment grant program for capital investments in surface transportation infrastructure. Projects eligible for funding under the program include, at a minimum, highway and bridge projects, public transportation projects, passenger and freight rail transportation projects, and port infrastructure investments. In distributing grants under the program, DOT shall ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and investment in a variety of transportation modes. At least 20% of grant funds must be set aside for projects in rural areas. The bill amends the Internal Revenue Code to: (1) establish a National Infrastructure Investment Trust Fund, and (2) increase the tax on gasoline other than aviation gasoline and on diesel fuel or kerosene.

#### S.146 — 116th Congress (2019-2020)

#### **Move America Act of 2019**

Sponsor: Sen. Hoeven, John [R-ND] (Introduced 01/16/2019) Cosponsors: (1)

Committees: Finance Allows tax exempt Move America bonds and Move America tax credits to be used for certain infrastructure projects. A Move America bond is treated as a tax-exempt private facility bond with certain exceptions. At least 95% of the net proceeds from the issuance of the bond must be used for infrastructure projects. The bill specifies exceptions and modifications to existing rules for bonds regarding land acquisition, government ownership, rehabilitation expenditures, and the alternative minimum tax. The bonds are subject to a volume cap equal to 50% of a state's current private activity bond volume cap. States may exchange all or a portion of the volume cap for Move America tax credits to be allocated to taxpayers. The credits include (1) an equity credit for a portion of the basis of each qualified facility; and (2) an infrastructure fund credit for investments in qualified infrastructure funds, including a state infrastructure bank, a water pollution control revolving fund, or a drinking water treatment revolving loan fund.

#### <u>H.R.658</u> — 116th Congress (2019-2020)

#### **National Infrastructure Development Bank Act of 2019**

Sponsor: Rep. DeLauro, Rosa L. [D-CT-3] (Introduced 01/17/2019) Cosponsors: (60, now 61)

Committees: Energy and Commerce, Transportation and Infrastructure, Financial Services and Ways and Means

<u>S.353</u> — 116th Congress (2019-2020)

#### **RAPID Act**

Sponsor: Sen. Cornyn, John [R-TX] (Introduced 02/06/2019) Cosponsors: (1)

Committees: Environment and Public Works This bill revises the transportation infrastructure finance and innovation (TIFIA) program to (1) require program applicants to obtain investment grade ratings from at least two credit rating agencies, unless the federal credit instrument is less than \$150 million (currently, less than \$75 million), in which case one rating will suffice; (2) require the Department of Transportation (DOT) to implement an expedited decision timeline for public agency borrowers seeking secured loans; and (3) require DOT to publish status reports on program applications on the TIFIA website.

S.403 — 116th Congress (2019-2020)

#### **IMAGINE Act**

Sponsor: <u>Sen. Whitehouse</u>, <u>Sheldon [D-RI]</u> (Introduced 02/07/2019) Cosponsors: (<u>5</u>, now 7) Committees: Environment and Public Works. Encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.

<u>H.R.228</u> — 116th Congress (2019-2020)

#### **Increase Transportation Alternatives Investment Act of 2019**

Sponsor: Rep. Velazquez, Nydia M. [D-NY-7] (Introduced

01/03/2019) Cosponsors: (2) Committees: Transportation and Infrastructure Directs the Department of Transportation (DOT) to ensure that states give preference under the Surface Transportation Block Grant Program to eligible projects that (1) are located in areas that are undergoing extensive repair or reconstruction of transportation infrastructure, including federal-aid highways, federally owned roads open for public travel, passenger rail facilities, and public transportation facilities; and (2) will provide transportation alternatives related to the closure of transportation infrastructure in such areas. DOT shall (1) carry out a competitive grant program to support community efforts to invest in transportation alternatives; and (2) give preference in awarding grants to projects located in such areas. Entities eligible for grants include state and local governments, metropolitan planning organizations, and rural planning organizations.

<u>H.R.880</u> — 116th Congress (2019-2020)

#### **Surface Transportation Investment Act of 2019**

Sponsor: Rep. Brownley, Julia [D-CA-26] (Introduced 01/30/2019) Cosponsors: (1)

Committees: Ways and Means and Transportation and Infrastructure. This bill limits or repeals certain tax benefits for major integrated oil companies, including (1) the foreign tax credit for companies that are dual capacity taxpayers, (2) the tax deduction for intangible drilling and development costs, (3) the percentage depletion allowance for oil and gas wells, and (4) the tax deduction for qualified tertiary injectant expenses.

The bill modifies the definition of "major integrated oil company" to include certain successors in interest that control more than 50% of the crude oil production or natural gas production of the

company. The bill establishes a Transportation Block Grant Fund and appropriates to the fund amounts equal to the increase in revenues as a result of this bill. The funds must be used for making grants under the Surface Transportation Block Grant Program.

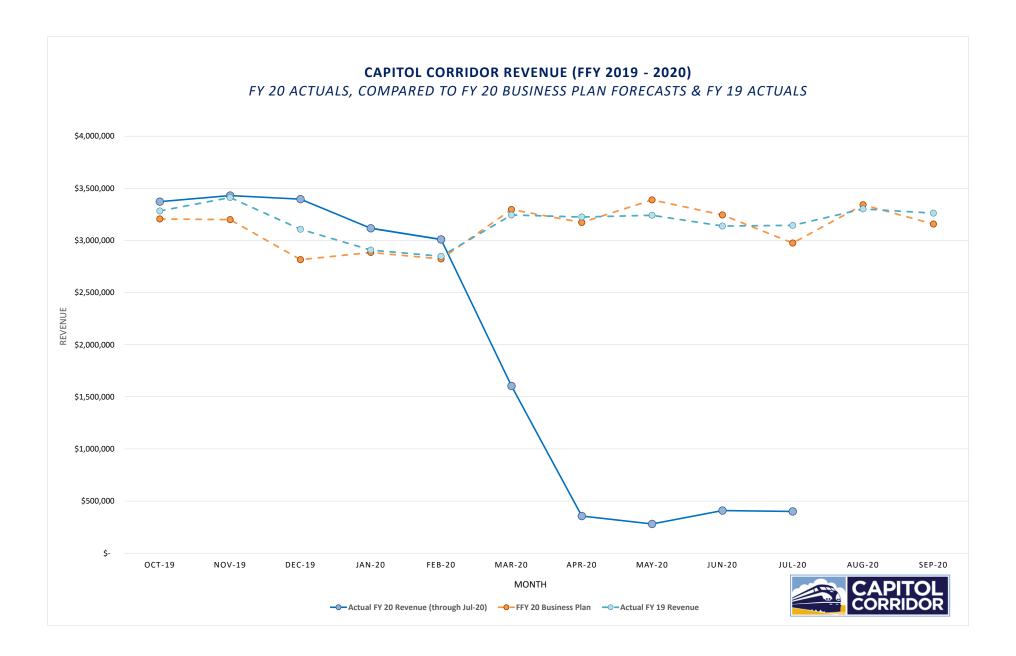
<u>S.1518</u> — 116th Congress (2019-2020) **Rebuild America Now Act** 

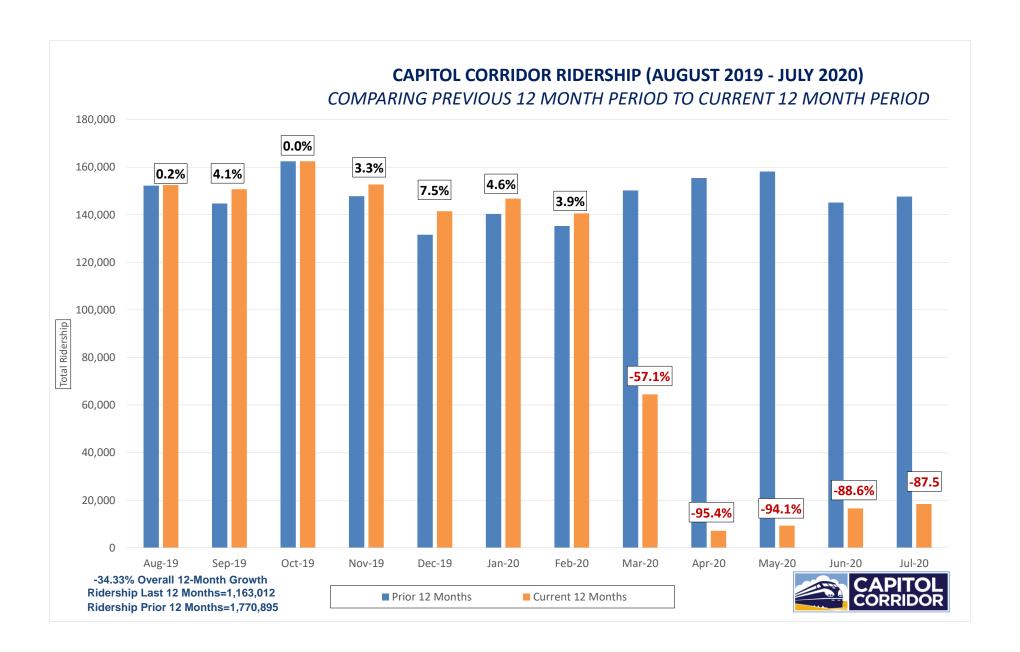
States to rehabilitate or replace certain bridges, and for other purposes.

Sponsor: Sen. Sullivan, Dan [R-AK] (Introduced 05/16/2019) Cosponsors: (4)

Committee: Environment and Public Works. To improve the processes by which environmental documents are prepared and permits and applications are processed and regulated by Federal departments and agencies, and for other purposes.

<u>H.R.3134</u> — 116th Congress (2019-2020 **To direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes.** Sponsor: <u>Rep. Langevin, James R. [D-RI-2]</u> (Introduced 06/05/2019) Cosponsors: (2) Committee: Transportation and Infrastructure. To direct the Secretary of Transportation to assist





# **TRAIN PERFORMANCE FY20 (October 2019 - July 2020)**

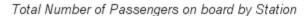
FY 20 Actuals & Percent Change from FY20 Business Plan, FY 19 Actuals

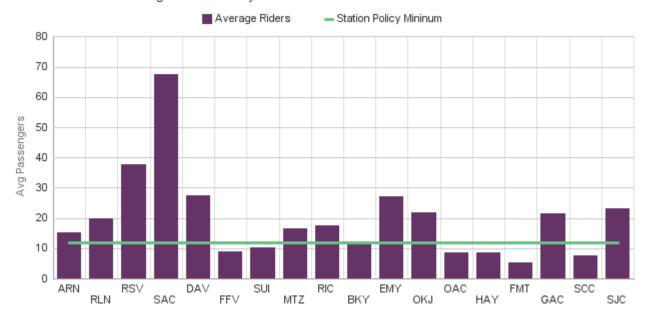
Performance Model	Ridership	Revenue	End-Point OTP	Passenger OTP	System Operating Ratio	Customer Satisfaction (CSI)
Actual FY 20 Performance	859,823	\$ 19,372,841.39	89%	88%	40%	90.72
FY 20 Business Plan Forecasted	1,454,197	\$ 31,001,929.04	90%	90%	52%	92.5
FY 20 Actual vs FY 20 Businss Plan (% Change)	-41%	-38%	-2%	-2%	-24%	-2%
FY 20 vs FY 19 Actual Performance (% Change)	-42%	-39%	0%	1%	-34%	0%

#### **Capitol Corridor Station Activity - Minimum Station boarding and alightings**

#### Highest Average Number of Passengers on a train by Station

FYTD 20/October 1, 2019 - August 27, 2020





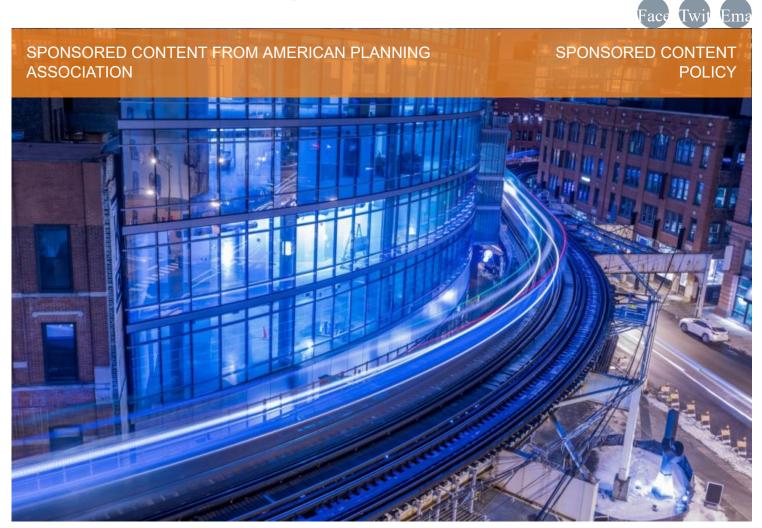
Year of	Projected Ridership (Boardings + Alightings)	Projected Ridership (Boardings + Alightings)			
Service	Per Train Stop (>20 daily trains)*	Per Train Stop (20+ daily trains)*			
1	Equal to or greater than 7	Equal to or greater than 8			
2	Equal to or greater than 8	Equal to or greater than 10			
5 or more	5 or more Equal to or greater than 12 Equal to or greater than 15				
*Per train ridership thresholds parsed to reflect service frequency differences					

Station	Board	Alight	Average	Meet
Code	Count	Count	Riders	Criteria
ARN	4,239	3,681	15	Υ
BKY	41,274	40,789	12	N
DAV	93,240	88,670	27	Υ
EMY	88,771	91,357	27	Υ
FFV	29,206	29,848	9	N
FMT	11,068	10,696	5	N
GAC	47,901	39,634	22	Υ
HAY	16,203	18,455	9	N
MTZ	51,933	57,147	16	Υ
OAC	18,424	21,573	9	N
OKJ	74,287	71,114	22	Υ
RIC	55,560	61,234	18	Υ
RLN	5,503	4,755	20	Υ
RSV	10,282	9,124	38	Υ
SAC	228,794	219,729	67	Υ
SCC	17,149	13,720	8	N
SJC	49,244	44,693	23	Υ
SUI	32,743	35,003	10	N

Centering Planning in the Federal Surface Transportation Debate – Next City

# Centering Planning in the Federal Surface Transportation Debate

JASON JORDAN SEPTEMBER 3, 2020



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This month, the nation's surface transportation law — which funds the implementation of so much of planners' work — will expire.

About a month ago, the House of Representatives passed a sweeping \$1.5 trillion infrastructure bill with a transportation reauthorization at its heart. In the meantime, Congress has been at loggerheads over a new COVID-19 relief package and whether to provide further aid for fiscally strapped state and local governments. Another deadline looms with federal spending legislation also due at the end of September. Even on the doorstep of Election Day, Congress faces a busy and critical period with significant implications for planning and communities.

While it may be likely that Congress opts to extend the current transportation program until after the election, both sides on Capitol Hill see the need to tackle infrastructure this year as part of bolstering the economy, tackling longstanding problems, and setting the foundation for recovery. Democrats have signaled in recent days that they may be willing to accept a slimmed down relief bill in hopes of a more expansive and infrastructure-led stimulus in a post-election lame duck session.

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When the opportunity does arise to put a new surface transportation bill in place, it appears that Congress is ready to make some significant changes and much needed reforms. Based on action taken by the House and preliminary work completed by a key Senate committee, the next transportation bill is poised to take a planning-led approach to issues ranging from climate change and resilience to new mobility and social equity.

More than a year ago, the American Planning Association outlined four key priorities for transportation reauthorization:

- Provide sustainable and predictable funding
- Tacking climate change and resiliency
- Advance active transportation, safety and public transportation
- Focus on the future of mobility

Embedded in each of these principles is the idea of providing greater authority to regions and localities, advancing equity, and supporting a planning process to meet to meet today's toughest challenges. As we embark on this new and critical phase of action on the legislation, let's take a look at how the bills advanced so far stack up against these priorities.

#### The Hunt for Funding

Neither the House nor the Senate have come forward with a clear, credible plan to address funding. Election year politics and a deep COVID recession have made it treacherous to talk about the gas tax. Both sides have signaled a willingness to support a variety of finance tools which could provide part of the answer. And, both the House bill and the Senate committee bill advance efforts to move away from the gas tax and toward a vehicle miles traveled (VMT) levy, but a VMT solution still seems to be another reauthorization cycle away from being a likely solution.

There have been discussions about incorporating small patches to the existing revenue structures by taxing electric vehicles that currently do not pay into the system or raising user fees on heavy trucks and freight. Legislators are also looking at a range of 'one-off' funding sources that could be tapped to pay for the bill that both parties seem to want to write.

However, the revenue problem has only worsened. Before the COVID pandemic hit, government projections suggested that the gas tax funded highway trust fund would face insolvency by the end of 2021. The drop in travel and corresponding decline in gas tax revenues since COVID hit in the spring have only accelerated the problem. Furthermore,

tax declines at the state and local levels are already contributing to delays in capital projects.

Congress may be able to find temporary fixes and resources to enact a bill in 2020, but the long-term challenges of sustainable and predictable funding must be addressed.

#### **Landmark Action on Climate**

An area of perhaps surprising agreement is that the next transportation bill has to address greenhouse gas emissions from the transportation sector, clean energy vehicles, and growing resiliency and hazard mitigation needs. When the Senate Environment and Public Works Committee advanced their bipartisan bill in 2019, the measure included the first ever section on climate change. The provisions largely centered on planning for electric vehicles and expanding resources for resiliency and congestion.

The House-passed legislation went even further with not only a range of new grant programs but also a greatly expanded focus on planning and environmental justice as part of climate policy. The bill would place new planning requirements to measure, mitigate, and reduce climate impacts and emissions. New vulnerability assessments would be mandated, and climate progress would be incorporated into performance measures. To help communities, regions, and states meet these requirements, set aside funding for planning would be expanded, carbon reduction would become an apportionment program, and metropolitan areas would see a slightly larger share of funding.

Both bills recognize the growing impacts of storms and extreme weather on transportation infrastructure with a series of provisions and programs aimed at resiliency. The House bill would invest \$6.25 billion in pre-disaster mitigation.

#### **Key Reforms on Active Transportation and Safety**

Another area of potential consensus is expanding support for active transportation and safety. Both bills make useful strides in these areas with expanded funding and some useful reforms. However, the House bill goes much further in making reforms that APA

has endorsed in earlier legislation. While both bills increase funding for the Transportation Alternatives Program (TAP), the House bill actually expands the percentage set aside and increases suballocation to metro regions. The House version establishes a new grant program aimed at community connectivity that has a strong environmental justice focus. Other important advances in the House bill includes targeting safety dollars at vulnerable users using a planning assessment. Provisions for vision zero safety planning, maintenance of existing infrastructure, and micro-mobility are also incorporated.

While the Senate bill set an important foundation by expanding active transportation and safety programs, the differences in the two bills on these programs will likely be a key point of future negotiation making on-going advocacy critical.

The Senate Banking Committee has jurisdiction over public transportation programs, and that committee has yet to produce a bill. The House bill expands funding for transit and aims to address the fiscal crisis many transit agencies confront due to the pandemic. In addition to formula funding for transit, the House legislation expands efforts to better align transit, land use, and housing with a new transit supportive communities office and incorporation of housing into federal capital investment grants. The bill also makes more projects eligible for the streamlined "small starts" program.

#### **Looking to the Future**

Reauthorization legislation is an opportunity to reset the vision and mission of the federal program and to begin preparing communities and regions for the needs of the future. This preparation for the future requires a combination of planning, research, investment, and regulatory changes. The bills under discussion make some progress in these areas but still leave unanswered questions. Both bills aim to improve the use of data and modeling. Both invest in addressing new infrastructure needs related to clean energy mobility and connected infrastructure. The House approach goes further in positioning the planning process to address issues of climate change, resilience, housing, and equity in the planning process.

While both the House and Senate acknowledge the need to pursue a replacement for the gas tax, the House version expands pilot programs more aggressively. The House also places a stronger emphasis on the role of metro areas, performance, and assessments in tackling critical issues. It remains to be seen whether emerging technologies in areas like autonomous vehicles and drones will be adequately addressed in the legislation.

#### **Advocacy Needed**

While there is the opportunity for vital funding and new approaches in the next transportation bill, there remains much work to be done. It is essential that Congress hear directly from planners and other community leaders about the importance of acting now. Even if programs are temporarily extended, Capitol Hill will be focused on both the role of infrastructure as a tool for economic recovery and the need to pivot the transportation program in new directions to tackle today's challenges. Looming over it all is to how to pay for it and how to empower regions and localities through better planning. Your voice is essential. Congress needs to hear the stories that show the real impact planning makes in leading recovery and the real needs that communities face. With deadlines looming, the coming weeks will make an enormous difference for the future.

#### A Moment for Action — Build Momentum for Planning Priorities From Home

Want to go deeper and build momentum on Capitol Hill to drive real change on federal transportation policy? Join APA from wherever you are for the Policy and Advocacy Conference, September 23-24, to both hear from experts on the ever-changing state of play on transportation and to ask congressional leaders to embrace APA's priorities for transportation reauthorization in the next bill.

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Jason Jordan is policy director at the American Planning Association.

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