



City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

Social Services Transportation Advisory Council

Wednesday, October 8, 2008

10:00 a.m.

StanCOG Conference Room

900 H Street, Suite D

Modesto, California

Any member of the public may speak on any item on the agenda. The Council will only allow comments by members of the public on an item on the agenda during consideration of the item. When the item is called, please raise your hand if you desire to address the Council.

1. Roll call
2. Comments from the Public
3. Approval of Minutes for September 10, 2008 Motion
4. Review of SSTAC Bylaws Discussion
5. Review of StanCOG Adopted Definitions of “Unmet Need” and “Reasonable to Meet” Discussion
6. Unmet Transit Needs Update/Roundtable Discussion
7. Federal Transit Administration Section 5310 – Elderly and Disabled Specialized Transit Program Information
8. Transit Managers Reports
9. Executive Director’s Report
10. Comments from Council Members

Next Scheduled Meeting

Wednesday, November 12, 2008

StanCOG Conference Room

900 H Street, Suite D

Modesto, CA

California Brown Act Requires:

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Lark Downs, at (209) 525-4600, during regular business hours, at least twenty-four hours prior to the time of the meeting.

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the StanCOG Policy Board shall be in English and anyone wishing to address the Board is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

Questions: Contact Vince Harris at (209) 525-4600.



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**SSTAC MINUTES FOR SEPTEMBER 10, 2008 MEETING WILL
BE DISBURSED AND POSTED ON THE WEBSITE SEPERATELY
AT A LATER DATE.**

STANISLAUS COUNCIL OF GOVERNMENTS

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

BYLAWS

ARTICLE I

FUNCTION

Section 1: The Social Services Transportation Advisory Council shall be a standing committee of the Stanislaus Council of Governmental. The Committee shall advise the Council and have the following responsibilities:

1. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the Stanislaus Council of Governments and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
2. Annually review and recommend action by the Council of Governments for the area within the Council of Governments' jurisdiction which finds by resolution, that:
 - A. there are no unmet transit needs; or
 - B. there are no unmet transit needs that are reasonable to meet; or
 - C. there are unmet transit needs, including needs that are reasonable to meet.
3. Advise the Council of Governments on any other major transit issues, including the coordination and consolidation of specialized transportation services.

ARTICLE II

MEMBERSHIP

Section 1: The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

1. One representative of potential transit users who is 60 years of age or older.
2. One representative of potential transit users who is handicapped.

3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
4. Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, if one exists.
5. One representative of a local social service provider for persons of limited means.
6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
7. Up to two (2) additional representatives, if desired by the Council and appointed by the Executive Committee.

Section 2: A quorum shall constitute one-half (1/2) of the current membership.

ARTICLE III

TERM OF OFFICE

- Section 1: Of the initial appointments to the Council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term.
- Section 2: Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term.
- Section 3: In no case shall any member of the Council serve on the Council longer than eight consecutive years.

ARTICLE IV

APPOINTMENT

- Section 1: Any qualified resident of Stanislaus County may apply for membership on the Social Services Transportation Advisory Council. The Secretary of the Council of Governments shall maintain a current list of all applicants. Each application for membership on the Council shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 2: The Executive Committee of the Council of Governments shall appoint, from the list of applicants, the members of the Social Services Transportation Advisory Council. All matters pertaining to appointments shall be considered in Executive session.

Section 3: Additional nominees for the Social Services Transportation Advisory Council may be supplied by the Commission on Aging, the Mayor's Committee for Employment of Persons with Disabilities, and the United Way.

ARTICLE V

PERFORMANCE

Section 1: The members of the Social Services Transportation Advisory Council will be expected to attend the meetings of the Council on a regular basis. Any member of the Council who is absent from three consecutive meetings of the Council without prior approval of the Secretary of the Council/Executive Committee, shall be dismissed from the Council.

ARTICLE VI

REMOVAL

Section 1: The Executive Committee of the Council of Governments may, at any time, recommend the removal of any member of the Social Services Transportation Advisory Council. A majority vote of the representatives of the Council of Governments shall be required to approve any removal. All matters pertaining to removals shall be considered in executive session.

ARTICLE VII

OFFICERS AND RULES

Section 1: The Social Services Transportation Advisory Council shall elect from among its membership a Chairperson and a Vice-Chairperson. The term of office shall be for one year.

Section 2: The Council shall adopt rules and procedures for its meetings. Said rules and procedures shall be subject to approval by the Council of Governments.

ARTICLE VIII

STAFF

Section 1: The Executive Director of the Council of Governments, or his or her appointee, shall serve as the Secretary of the Social Services Transportation Advisory Council and shall provide the Council with normal staff assistance.

ARTICLE IX

FINANCING

Section 1: Except as specifically provided by the Council of Governments, the members of the Social Services Transportation Advisory Council shall receive no compensation for their service.

Section 2: The Council of Governments shall provide the Committee with the financial support the Council of Governments deems necessary for the successful functioning of the Council.

ARTICLE X

REVIEW AND AMENDMENT OF BYLAWS

Section 1: Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of that Council present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the Council at least fifteen (15) days prior to the meeting at which a vote is to be taken.

Section 2: *At a minimum, Bylaws will be reviewed every three (3) years. This review shall be completed by the Chair and the Vice-chair, who shall report all findings to the full Council.*

StanCOG

Definition of Unmet Transit Need

The StanCOG Policy Board adopted the current definitions of "Unmet Transit Need" and "Reasonable to Meet" on September 8, 2004.

An "unmet transit need" is any inadequacy in the system of public transit services, specialized transit/paratransit service, or private transportation service within the jurisdictions of Stanislaus County process which has not been funded and implemented and which has been accurately documented on the Unmet Transit Need "Request for Transit Service" form. Potential transit needs may be identified by community members or through a local or regional planning process. Although some services may be restricted or give priority to traditionally transit-dependent populations (such as elderly, youths, persons with disabilities, or low-income persons), all eligible users should have equivalent access or opportunity to use the service. At a minimum, this may include requests for transportation services which are identified through the annual TDA Unmet Transit Needs hearings, by the SSTAC, in the Regional Transportation Plan, in the Short-Range Transit Plan of any transit operator, or in the compliance plan for the Americans with Disabilities Act as prepared by any public or private entity. Unmet transit needs are not:

1. Trips, which would duplicate transportation services
2. A need for transportation service beyond the fiscal year under consideration
3. Provision of escorts or attendants

Definition of Reasonable to Meet

An identified unmet transit need will be determined to be "reasonable to meet" if it is demonstrated, to the satisfaction of the StanCOG Policy Board, that the transit need can be met within the following performance and financial standards:

1. A potential unmet transit need shall achieve at least 50% the system-wide performance standards, except in the case of an extension of service determined to be a necessary lifeline* service for transit dependent populations.

Lifeline Service: A service necessary to access community services within Stanislaus County that are needed to sustain an individual's physical and mental health.

2. A potential unmet transit need shall not cause the system of which it is a part to fail to meet the systemwide performance standards.
3. The unmet transit need will not require the expenditure of more Local Transportation Funds than are available to the jurisdiction for transit.

The determination of whether an unmet transit need is "reasonable to meet" shall take into account as appropriate:

1. If the time period needed to implement the required corrective action (e.g. major

purchases, planning requirements) is greater than one year, an unmet transit need may be declared not reasonable to meet. An unmet transit need shall not be determined unreasonable to meet more than once on these grounds.

2. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for a finding that a transit need is not reasonable to meet.
3. An agency's determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.

“Unmet Transit Needs” & “Reasonable to Meet”

DEFINITIONS

Unmet Transit Needs

Those public transportation services which have not been funded or implemented but have been identified through public input, including the annual unmet transit needs public hearing, transit needs studies and other methods approved by the Commission.

Unmet transit needs specifically include:

- Public transit services not currently provided for persons who rely on public transit to reach: employment, medical assistance, shop for food or clothing, to obtain social services such as health care, county welfare programs and educational programs.
- Trips requested by the transit dependent or transit disadvantaged persons, for which there is no other available means of transportation. Transit dependent or transit disadvantaged shall include, but not be limited to, the elderly, the disabled and persons of limited means.

Reasonable to Meet

The definition of Reasonable to Meet is based on the requirements of the Transportation Development Act (TDA). More specifically, those public transportation services that are Reasonable to Meet are those which meet the following criteria:

1. Pursuant to the requirements of PUC Section 99401.5 (c), a determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads. The fact that an identified need cannot fully be met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.
2. Services which, if implemented or funded, complies with a 10% farebox recovery ratio and/or TDA section 99268 et.seq.
3. Services which, if implemented or funded, would not duplicate or replace existing services. The ----- may use the following as a determinant in the implementation of new services:
 - a) Forecast of anticipated ridership if service is provided.
 - b) Estimate of capital and operating costs for the provision of such services.
 - c) Estimate of farebox recovery ratio.
4. Services which, if implemented or funded, would not cause the responsible operator to incur expenditures in excess of the maximum amount of:
 - a) Local Transportation Funds and State Transit Assistance Funds which may be available for such operator to claim.
 - b) Federal Transportation Administration (FTA) Funds or other support for public transportation services which are committed by federal and /or state agencies by formula or tentative approval of specific grant requests.
 - c) Farebox and local funding in compliance with PUC Section 99268 et.seq.

Unmet Transit Needs

----- defines "unmet transit needs" as those identified in each county's 5-year plan and ADA Complementary Paratransit Plans for which services have not been implemented, and as further considered by MTC as a result of unmet transit needs hearings process.

Reasonable to Meet

- 1) Unmet transit needs that are reasonable to meet shall include all of the following:
 - a) All service required to fully implement the paratransit and fixed route accessibility requirements of the Americans with Disabilities Act (ADA).
 - b) Funds necessary to implement transit or rail improvement projects in the Highway 101 Corridor as determined by -----.

- 2) Unmet transit needs that are reasonable to meet may also include issues which do not fit in category (1), above, but are raised in the unmet transit needs public participation process (i.e., public hearings, discussions of the Social Service Transportation Advisory Committees/Paratransit Coordinating Councils; and other communication with MTC). Each of these issues must be resolved by the local jurisdiction prior to the Commission's action on TDA allocations for streets and roads purposes by accomplishing the following:
 - a) Implementing or improving the service on a permanent or demonstration basis,
or
 - b) Completing an analysis in the countywide plan which shows that service is not reasonable to meet based on locally established standards, taking into consideration alternative methods of meeting the identified need, if applicable.

Unmet Transit Needs

Unmet transit needs is any deficiency in the system of public transit services, specialized transportation services, paratransit services or private transportation services within ----- which has been identified by community members or through the regional planning process and which has not been funded and implemented. Unmet needs may include desires for transportation services which are identified through the annual unmet transit needs public hearing, or by the -----, or in the "1998 Social Services Transportation Implementation Plan Update" report, or the 1999 "Transit Marketing Plan". The consideration of unmet transit needs is not limited to the foregoing methods. It is the practice of the ----- to consider input relative to transit needs from any group or member of the public wishing to express such needs.

Reasonable to Meet

The ----- has defined an unmet transit need as "reasonable to meet" if the following conditions prevail:

- A. Service which, if implemented or funded, would not cause the operator to incur expenditures in excess of the maximum amount of Transportation Development Act Funds available to -----county.
- B. The projected passengers per hour and farebox recovery ratio are at least 80% of the current system average.
- C. The proposed service does not duplicate transit services currently provided either publicly or privately.

- D. The proposed service has community acceptance from the general public or ----- county.
- E. The proposed service is in response to an existing rather than a future need.
- F. The cost of providing the proposed service does not exceed 5 dollars per passenger as calculated based on an average operating cost of 42 dollars per hour.

Unmet Transit Needs

This ----- adopts a definition of unmet needs as those needs which are currently not being met and embodied in the resolution passed which is consistent with the Regional Transportation Plan.

Reasonable to Meet

Recognizing that the Transportation Development Act has permitted this -----to "take into consideration such factors as equity, timing, feasibility, community acceptance, economy (short term and long term), cost effectiveness and other factors related to transit services", by motion to accept this resolution, this -----has adopted a definition of "reasonable to meet" as being a transit system or service which meets a 25% fares versus operating cost ratio. Newly implemented services may operate at a 15% fares versus operating cost ratio for the first year.

Unmet Transit Need

The need to transport people is not being satisfied through existing public or private resources.

Reasonable to Meet

It is reasonable to meet a transit need if all of the following conditions prevail:

- a) Service will be capable of meeting the Transportation Development Act fare revenue/operating cost requirements and established ----- criteria for new services.
- b) Transit services designed or intended to address an unmet transit need shall not duplicate transit services currently provided either publicly or privately.
- c) The claimant that is expected to provide the service shall review, evaluate and indicate that the service is operationally feasible, and vehicles shall be currently available in the market place.
- d) Funds are available, or there is a reasonable expectation that funds will become available.

Unmet Transit Needs

Unmet transit needs are all essential requests by transit dependent persons for which there is no other available means of transportation.

Reasonable to Meet

Those transit requests that can be met by all public and /or special transportation services that:

- a) can be proven operationally feasible;
- b) can demonstrate community acceptance;
- c) would serve a significant number of the population;
- d) can be proven to be economical; and
- e) can demonstrate cost effectiveness by having a ratio of fare revenue total operational cost of at least ten percent.

Unmet Transit Needs

Unmet transit needs includes all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation.

Reasonable to Meet

It shall apply to all related public or specialized transportation services that:

- 1) are feasible;
- 2) have community acceptance;
- 3) serve a significant number of the population;
- 4) are economical; and
- 5) can demonstrate cost effectiveness

by having a ratio of fare revenues to operating cost at least equal to 10 percent, and the ----- has determined that its definition of the term "reasonable to meet" shall also apply to all service requests which do not abuse or obscure the intent of such transportation services once they are established.

Unmet Transit Need

Unmet transit need is any transportation need, identified through the public hearing process, that could be met through the implementation or improvement of transit or paratransit services.

Reasonable to Meet

Any unmet transit need that can be met, in whole or in part, through the allocation of additional transit revenue and be operated in a cost-efficient and service-effective manner, without negatively impacting existing public and private transit options.

Unmet Transit Needs

An unmet transit need is any deficiency in the system of public transit services, specialized transit services, and private transportation services within the jurisdiction of the ----- which has been identified by community members or through a local

or regional planning process and which has not been funded and implemented. At a minimum, this may include desires for transportation services which are identified through the annual TDA Unmet Transit Needs public hearing, by the Social Service Transportation Advisory Council, in ----- Transit Development Plan, in the Regional Transportation Plan, or in the compliance plan for the Americans with Disabilities Act as prepared by any public or private entity.

----- recognizes that public transportation includes a broad range of users, uses, and destination. Although some services may be restricted or give priority to traditionally transit-dependent populations (such as elderly, disabled, low-income, or youth), all eligible users should have equivalent access or opportunity to use the service. ~~The transportation desires of a small group of individuals or of the clients of particular agencies shall not, in and of themselves, be sufficient to justify a finding of unmet transit need.~~

Trips that would duplicate transportation services to the general public are not considered unmet transit needs. A need for transportation service beyond the fiscal year under consideration shall not be considered to be an unmet transit need at the present time. Provision of escorts or attendants is not a transit need.

Reasonable to Meet

An identified unmet transit need can be determined to be "reasonable to meet" if it is demonstrated, based upon staff analysis or other independent evidence, that the transit need can be met within the following performance and financial standards:

- a) The performance standard for fixed-route systems is 10% fare revenue ratio.
- b) All other systems shall achieve at least the fare revenue ratio and passenger productivity standards established in -----or as established by statute.
- c) An extension of service shall not cause the system of which it is a part to fail to meet the system-wide performance standards. Considered separately, it shall achieve at least half the system-wide performance standards, except in case of an extension of service determined to be a necessary lifeline service for transit dependent populations.
- d) The unmet transit need will not require the expenditure of more than the affected jurisdiction(s) proportional share of Transportation Development Act funds that are apportioned by ----- on the basis of population.

The determination of whether a transit need is reasonable to meet shall also take into account as appropriate:

- 1) Likely demand for service based on transit use rates per capita in comparable communities.
- 2) Whether a service to meet the need would put the system of which it is a part in jeopardy of losing state or federal funding as a result of failing to meet mandated performance or efficiency standards.
- 3) In the case of any new general public transit services, potential Americans with Disabilities Act implications within that service area, including whether or not complementary paratransit service, if required, would impose an "undue financial burden" on the public entity.
- 4) In the case of a paratransit service providing complementary service to fixed-route service by a public entity, whether meeting the need would require spending a greater amount than that required by an undue financial burden waiver approved by the Federal Transit Administration under the American with Disabilities Act.
- 5) Opportunities for coordination among adjoining public entities or with private transportation provider and/or funding agencies. This shall include consideration of

other existing resources (including financial), as well as the legal or customary responsibilities of other entities (e.g., social service agencies, religious organizations, schools, carpools, etc.). Duplication of other services or resources is unnecessary and not a prudent use of public funds.

- 6) An unmet transit need may be determined to be unreasonable to meet because it is not feasible to initiate service within the coming fiscal year, due to the time required for vehicle acquisition, planning, or similar timing factors, or because additional information is needed to determine whether or not the unmet transit need is reasonable to meet. An unmet transit need shall not be determined unreasonable to meet more than once on these grounds.
- 7) The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for a finding that a transit need is not reasonable to meet.
- 8) Comparing unmet transit needs with the need for streets and roads shall not make the determination of whether an unmet transit need is reasonable to meet.

Unmet transit Need

Whenever a need by a significant number of people to be transported by moderate or low cost transportation to specific destinations for necessary purposes is not being satisfied through existing public or private resources, it is considered as an unmet transit need.

Reasonable to Meet

It is reasonable to meet a transit need if:

- a) Funds are available;
- b) Benefits of services in terms of number of passengers served, and severity of need justify cost; and
- c) Service is capable of meeting the Transportation Development Act fare revenue/operating cost requirements.

Unmet transit Needs

An unmet transit need exists if an individual of any age or physical condition is unable to transport himself or herself due to deficiencies in the existing transportation system. Excluded are: 1) Those requests for minor operational improvements, and 2) Those improvements funded and scheduled for implementation in the following fiscal year.

Reasonable to Meet

- A. Operational Feasibility. The requested improvement must be safe to operate and there must be adequate roadways for transit vehicles;
- B. Duplication of Service. The proposed service shall not duplicate other transit services;
- C. Timing. The proposed service shall be in response to an existing, rather than a future need;
- D. Service must meet the legally required farebox ratio (PUC Sections 99268.2, 99268.5 and CAC Sections 6633.2, 6633.5) with fares close to fares of similar service.

Unmet Transit Need

Unmet transit need, at a minimum, exist where local residents don not have access to private vehicles or other forms of transportation, due to age, income, or handicap, for the purpose of traveling to medical care, shopping, social/recreational activities, education/training and employment.

Reasonable to Meet

It is reasonable to meet the above needs if the proposed or planned service can be operated while maintaining, on a system wide basis, the adopted service goals for that type of service and meet the following criteria:

- 1) New, expanded, or revised transit service, if implemented or funded, would not cause the operator to incur expenditures in excess of the maximum amount of Transportation Development Act funds available to -----.
- 2) The proposed transit service does not duplicate transit services currently provided by either public or private operators.
- 3) The proposed transit service has community support from the general public, community groups and community leaders.
- 4) New, expanded, or revised transit service, if implemented or funded, would allow the responsible operator to meet the TDA required rural area farebox and revenue ratio of 10% for the overall system.
- 5) There is supporting data to indicate sufficient ridership potential for the new, expanded, or revised service.
- 6) Implementation of the new, expanded, or revised transit service should achieve or be moving toward the goals outlined in the -----Transit Development Plan for a comparable type of service. Services not meeting the goals should be evaluated on a yearly basis to determine if modifications or cancellation of service should be implemented.
- 7) The proposed transit service shall have a reasonable expectation of future demand and available funding on a long-term basis to maintain the service.
- 8) Is needed and would benefit either the general public or the elderly and disabled population as a whole.

Unmet Transit Needs

An unmet transit need exists if an individual or individuals of any age or physical conditions are unable to transport themselves from one location to another. Documentation regarding the unmet need and the person's residential address must be provided in a letter addressed to the ----- or by testimony at a public hearing held for the purpose of determining unmet transit needs. An unmet transit need is, at a minimum, those public transportation or specialized transportation services that are identified in the Regional Transportation Plan and that have not been implemented or funded.

Reasonable to Meet

A documented unmet transit need is reasonable to meet if:

A service can be provided which meets a minimum farebox ratio of 17.5% of operating costs and:

- a) It is a transit service for essential intra-county purposes which are defined as medical or dental services, shopping, employment, personal business, or social service appointments, or
- b) It is a transit service for essential inter-county purposes which purposes are defined as medical or dental services or social service appointments not available in this county or the out-of-county destination is the closest location where the services are available to the origin of the trip, and
- c) The origin and/or destination of the trip is within two miles of the established area of operation or a cohesive community.

Unmet Transit Needs

Unmet transit needs are at a minimum, those public transportation or specialized transportation services that are identified in the Regional Short Range Transit Plan, Regional Transportation Plan or similar Mobility Plan, that have not been implemented or funded.

Reasonable To Meet

Reasonable to Meet shall include all of the following factors:

- a) Community Acceptance: Whether or not the community will allow buses or a facsimile in their area.
- b) Timing: Whether or not the social, economic or political environment is amiable to project implementation.
- c) Equity: The fair availability of the service to all affected persons.
- d) Economy: The project can be implemented at reasonable cost.
- e) Cost Effectiveness: The ratio of the service cost to product shall be at or below the standards of evaluation criteria, or minimum farebox ratio (10%).

Unmet Transit Need

Unmet transit needs are, at a minimum, those public transportation services that have been identified by substantial community input through the public hearing process or are identified in a Short Range Transit Plan or the Regional Transportation Plan and have not yet been implemented or funded.

Reasonable To Meet

An Unmet Transit Need shall be considered reasonable to meet if the proposed service is in general compliance with the following criteria:

A. Equity

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

B. Timing

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

C. Feasibility

- 1) The proposed service can be provided within available funding (per state law, the lack of available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.)
- 2) The proposed service can be provided with the existing fleet or under contract to a private provider.

D. Performance

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

E. Community Acceptance

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

Unmet Transit Need

Unmet transit needs are trips required, but not provided, for those persons recognized to be transportationally disadvantaged so as to provide themselves with the essentials necessary to maintain a minimum standard of living, as expressed through the public hearing process.

Unmet transit needs specifically include:

- Transit or specialized transportation needs identified in the transit system's Americans with Disabilities Act Paratransit Plan or Short-Range Transit Plan which are not yet implemented or funded.
- Transit or specialized transportation needs identified by the Social Services Transportation Advisory Council through testimony or reports which are not yet implemented or funded.

Unmet transit needs specifically exclude:

- Minor operational improvements or changes, involving issues such as bus stops, schedules, and minor route changes.
- Improvements funded or scheduled for implementation in the following fiscal year.
- Trips for any purpose outside of -----, in accordance with PUC Section 99220 (b).
- Future transportation needs.

Reasonable To Meet

An unmet transit need is determined to be reasonable to meet based on analysis using the following criteria:

A. Cost Effectiveness

- 1) The new, expanded, or revised transit service, if implemented or funded, would not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocation of TDA funds.
- 2) The new, expanded, or revised transit service, if implemented or funded, would allow the responsible operator or service claimant to meet farebox revenue ratios as required under PUC Section 99268 et.al.

B. Community Acceptance

- 1) Support exists for the public subsidy of new, expanded, or revised transit service, as indicated through the public hearing process or other means of communication.

C. Equity

- 1) The new, expanded, or revised transit service is needed by, and will benefit, either the general public or the elderly and disabled population as a whole. Transit service cannot be provided for a specific subset of either of these groups.

D. Operational Feasibility

- 1) The new, expanded, or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.

E. Financial Feasibility

- 1) Supporting data indicates a sufficient ridership potential exists for the new, expanded, or revised transit service.
- 2) Potential service providers are available to implement the service.

F. ADA Conformity

- 1) The new, expanded, or revised transit service, in conforming with the requirements of the Americans with Disabilities Act, will not impose an undue financial burden on the transit operator or claimant if complementary paratransit services are subsequently required.

G. System Impact

- 1) The effect of the new, expanded, or revised transit service on the overall system's measures of efficiency and effectiveness, such as average passenger load per hour, average cost per passenger per hour, passengers per mile, cost per mile, and cost per hour.

H. Impact Limits

- 1) Implementation of the new, expanded, or revised service will be considered reasonable if the projected average cost per ride, by type of service, can be provided at a cost no higher than 10% above cost per passenger by type of service of systems within ----- .

Unmet Transit Needs

Unmet transit needs shall be defined as those public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, which are not currently available to identifiable groups, likely to be transit dependent or transit disadvantaged, including individuals eligible for paratransit and other specialized transportation services (per Section 12143 of Title 42 of the United States Code) and persons of limited means, including recipients under the CalWORKS program.

Unmet transit needs specifically exclude:

- 1) Minor operational improvements or changes, involving issues such as bus stops, schedules and minor route changes, which are being addressed by routine or normal planning processes.
- 2) Improvements funded or scheduled for implementation in the fiscal year following the Unmet Needs hearing;
- 3) Future transportation needs.

Reasonable To Meet

Unmet transit needs that are reasonable to meet will be based on analysis using the following criteria:

A. Financial Feasibility

- 1) The proposed transit service, if implemented or funded, would not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocation of Transportation Development Act fund, State Transit Assistance, FTA Section 5311 funds, and other transit-specific grants as may become available.
- 2) The proposed transit service, if implemented or funded, would allow the responsible operator or service claimant to meet the required farebox revenue to operation cost ratio of 10%.
- 3) Proposed transit system expansion must be monitored and evaluated after 6 months of operation (or other approved period of review) by the -----
-----.

B. Cost Effectiveness

- 1) Supporting data demonstrates sufficient ridership and revenue potential exists for the new, expanded or revised transit service to meet or exceed the required farebox revenue to operation cost ratios on a stand-alone basis. Furthermore, cost per passenger is reasonable when compared to the level of service provided, benefit accrued to the community and existing service cost per passenger.

C. Community Acceptance

- 1) There is sufficient public support for the proposed transit service, as indicated through the annual public process.

D. Equity

- 1) The proposed transit service will benefit the general public, the elderly and disabled population as a whole. Transit service will not be provided favoring one group at the exclusion of any other.

E. System Impact

- 1) It has been demonstrated to the ----- that the proposed transit service combined with existing service will allow the system to meet or exceed performance standards such as the cost per passenger trip, cost per vehicle service hour, passenger trips per vehicle service hour, passenger trip per service mile, on-time performance and vehicle service hours per employee.

F. Operational Feasibility

- 1) There are adequate roadways and selected turnouts to safely accommodate transit vehicles.

G. Availability of Services Provided

- 1) A qualified contractor is available to implement the service.

Unmet Transit Needs

- a lack of transport or being transported when useful, required, or desired.

Reasonable to Meet

- not extreme or excessively expensive, but rather sensible and sane.

Unmet Transit Needs

Unmet transit needs are those public transportation services necessary, but unprovided, for individuals to maintain a minimum standard of living. This may include trips necessary for medical and dental services, shopping, employment, personal business, education, social services, and recreation. Unmet transit needs are also those needs required to comply with the requirements of the Americans with Disabilities Act.

Reasonable To Meet

Unmet transit needs may be "reasonable to meet" if all of the following conditions prevail:

- 1) Services, which if implemented of funded could meet a 10% farebox recovery as specified in the California Code of Regulations. Twelve months is a reasonable time for a demonstration project to be evaluated.
- 2) Unmet Needs may also consist of basic capital improvements (such as bus shelters that make transit more amenable to riders).
- 3) Service, which if implemented, would not cause the responsible operator to incur expenditures in excess of the maximum amount of Local Transportation Funds, and passenger fares which may be available to the claimant.

Unmet Transit Needs

Those public transportation or specialized transportation services that are identified in the Regional Transportation Plan and/or documented through the ----- annual unmet transit needs public hearing process that have not been implemented or funded.

Reasonable to Meet

Those public transportation services identified in the Regional Transportation Plan, or proposed amendment thereto, which meet the following criteria:

- 1) Services which, if implemented or funded, would not cause the responsible operator or service claimant to exceed its appropriations limitation as set forth by Proposition 4 (Gann Limit).
- 2) Services which, if implemented or funded, would not cause the responsible operator to incur expenditures in excess of the maximum amount of:
 - a) Local Transportation Funds and State Transit Assistance Funds which may be available for such operator to claim,
 - b) Urban Mass Transportation Administration (UMTA) funds or other support for public transportation services which are committed by Federal and/or State agencies by formula or tentative approval of specific grant requests; and
 - c) Farebox and local funding in compliance with PUC Section 99268 et.seq.

The fact that an identified need cannot fully be met based on available resources, however, shall not be the sole reason for finding that a transit need is not reasonable to meet.

- 3) Services which, if implemented or funded, would result in the responsible operator or service claimant meeting the farebox recovery and local support requirements as set forth by PUC Section 99268 et.seq. Evaluation of existing operators shall be based on records provided to ----- by operators pursuant to the Transit Productivity Evaluation Process (PUC Section 99244).

Evaluation of proposed new service shall be based upon a feasibility analysis, which includes, but is not limited to:

- a) Forecast of anticipated ridership if service is provided.
- b) Estimate of capital and operating costs for the provision of such services.
- c) Estimate of fares and local support in relation to estimated operating costs for providing such services.
- d) An estimated fare which the ----- would determine to be sufficient to meet farebox recovery requirements, but would not be so high that it would pose a financial burden on transit dependent patrons.

Unmet Transit Needs

Unmet transit need is recognized by the ----- if any one of combination of the following criteria is found to exist:

- a) Transit or specialized transportation needs identified in the transit system's Americans with Disabilities Act Paratransit Plan, or Short-Range Transit Plan which are not yet implemented or funded.
- b) Transit or specialized transportation needs identified by the Social Services Transportation Advisory Council through public hearing testimony, delivered in writing or reports which are not yet implemented or funded.
- c) Those transit needs which, through transit needs studies or other methods approved by the -----, are included by the Commission in the Regional Transportation Plan for ----- and have been designated a high need to be implemented or funded.

Unmet transit needs specifically include:

- a) A population group must have been defined and located that, by reason of age, physical or mental impairment, economic disadvantage including, but not limited to recipients under the CalWORKS Program, or a combination of these, has no reliable or accessible transportation for necessary trips. The size and location of the group must be such that the feasibility of providing service shall meet the criteria as defined as reasonable to meet.
- b) Transit needs are to be determined in light of the following definition of "Necessary trips":

A trip destination that provides a necessity of life, and presence of a physical or financial obstacle between the individual and the necessary designation, which the individual is unable to overcome. Necessary trip purposes may be defined as follows:

1. to obtain or maintain employment;
2. to obtain non emergency medical and/or dental care;
3. shopping for necessities for life;
4. to obtain social services such as health care, government funded nutrition programs, workshops teaching employable skills, county welfare programs (such as CalWORKS), and education programs for physically and /or mentally handicapped individuals;
5. to obtain education; and
6. for the maintenance of life, health, physical and mental well-being.

- c) Trips for social events, recreational, or religious purposes are not considered as necessary. It shall be the policy of the -----, however, to provide these services if they can be provided concurrently within the limits of other defined "transit needs".

Unmet Transit Needs Specifically Exclude:

- a) Minor operational improvements or change, involving issues such as bus stops, schedules, and minor route changes.
b) Improvements funded or scheduled for implementation in the following fiscal year.

Reasonable To Meet

An Unmet transit need identified under the above criteria and guideline, as it pertains to the allocation of Transportation Development Act funds, if the transit need is determined "reasonable to meet" through the findings of the ----- Transportation Commission base on analysis using the following criteria:

Cost Effectiveness:

- 1) The new, expanded or revised transit service would not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocation of Transportation Development Act Funds.
- 2) The new expanded or revised transit service, would allow the responsible operator or service claimant to meet minimum state subsidy farebox and revenue ratios.

Community Acceptance:

A significant level of support exists for the public subsidy of transit service designed to address the unmet transit need in ----- including, but no limited to, support from public groups and community meetings reflecting a public commitment to public transit.

Equity:

The new, expanded or revised transit service is needed by, and will benefit either the general public or the elderly and disable population as a whole. Transit service cannot be provided for a specific subset of these groups.

Operational Feasibility:

The new, expanded, or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.

Financial Feasibility:

- 1) Supporting data indicates a sufficient ridership potential exists for the new, expanded or revised transit service.
- 2) Potential providers are available to implement the service.

ADA Conformity:

The new, expanded, or revised transit service, in conforming with the requirements of the American with Disabilities Act, will not impose an undue financial burden on the transit operator or claimant if complementary paratrasit services are subsequently required.

System Impact:

The new, expanded, or revised transit service will not result in a negative impact on the overall system's measures of efficiency and effectiveness, such as average passenger load per hour, average cost per passenger per hour, passengers per mile, cost per mile, and cost per hour.

Impact Limits:

- 1) Transit services designed or intended to address an unmet transit need shall, in all cases provide coordination efforts with transit services currently provided, either publicly or privately, and transit services shall not duplicate services currently or hereafter provided either publicly or privately.
- 2) No transit need shall be determined reasonable to meet until it has been reviewed and evaluated to the satisfaction of and obtained subsequent approval from the -----
-----.

Unmet Transit Needs

Unmet transit needs are defined as follows:

- 1) Transit levels identified in the ----- as the threshold level of services, which have not been implemented or addressed.
- 2) Transit levels identified in the ----- need assessments, which have not been implemented or addressed.
- 3) Transit needs identified through the public hearing process, delivered in writing or in public testimony.

Reasonable to Meet

Unmet transit needs may be found to reasonable to meet if all of the following conditions prevail:

- 1) A significant level of support exists for the public subsidy of transit services designed to address the unmet transit need, including but not limited to, support from community groups, community leaders, and community meetings reflecting a public commitment to public transit.
- 2) Sufficient funding is forecast to be available on a long-term basis from the respective entity or entities' Local Transportation Fund for the purpose of providing services to address the unmet transit need.
- 3) The complete cost of addressing the unmet transit need justifies service implementation of continuation in terms of the size of the transit dependent public, passengers served, severity of need, and feasibility.
- 4) Transit services designed or intended to address an unmet transit need shall not duplicate transit services currently provided either publicly or privately.
- 5) Transit services designed or intended to address an unmet transit need shall in all cases make coordinative efforts with transit services currently provided, either publicly or privately.

Unmet Transit Needs

An unmet transit need is an inadequacy in the public transit services, specialized transit/paratransit services and private transportation services for those persons recognized as transportation disadvantaged so as to provide themselves with the essentials necessary to maintain a minimum standard of living, as expressed through the public hearing process.

The transportation disadvantaged are those individuals who do not operate an automobile because of youth, advanced age or mental or physical impairment; and those persons who are not elderly or handicapped and who are unable to operate an automobile for reasons of low income.

The term "unmet transit needs" shall include transit or specialized transportation services identified in the -----, a finding of an unmet need by the -----, or in the compliance plan for the Americans with Disabilities Act which have not been implemented or funded.

Reasonable To Meet

- 1) The new, expanded, or revised transit service, if implemented or funded, would allow the operator to meet farebox and revenue ratios as required under Public Utilities Code, Division 10, Part 11, Chapter 4, Article 4, Section 99268 and would not cause the operator to incur expenses in excess of the maximum allocation of Transportation Development Act (TDA) funds.
- 2) The new, expanded, or revised transit service is need by, and will benefit, either the general public, the transportation disadvantaged, or the elderly and disabled population as a whole and support exists through the public hearing process or other means of communication.
- 3) The new, expanded, or revised transit service must be safe to operate, and there must be adequate roadways and turnouts for transit vehicles.
- 4) The new, expanded, or revised transit service, in conforming with the requirements of the Americans with Disabilities Act, will no impose an undue financial burden on the transit operator if complementary paratransit services are subsequently required.
- 5) The new, expanded, or revised transit service will not adversely effect the overall system's measure of efficiency and effectiveness, such as average passenger load per hour, average cost per passenger hour, passengers per mile, and cost per hour.
- 6) Implementation of the new, expanded, or revised service will be considered reasonable if the projected average cost per ride, by type of service can be provided at a cost no higher than 10% above the average existing cost per passenger by type of service within ----- for a period no longer than one operating year.

Unmet Transit Needs

The term "unmet transit needs" is defined as:

- 1) Trips made by the general public, including elderly and handicapped, within the -----
----- that provide the ability to access the following services:
 - a) to obtain and or maintain employment;
 - b) shopping for food, clothing, etc.;
 - c) to obtain services such as health care, sheltered workshops teaching employable skills, county welfare programs, and other programs for physically and/or

mentally handicapped and elderly individuals, other than to program sites, that are not currently being met;

- d) to transact personal business, such as banking and paying bills;
 - e) to obtain education; or
 - f) religious and recreational purposes.
- 2) Trips less than one mile in length made by individuals that are not elderly or handicapped are not considered as a transit "need". An individual that is not elderly or handicapped can walk this distance in a reasonable amount of time (approximately 15 minutes) without undue strain.
 - 3) Individuals requiring the assistance of an attendant (in addition to a driver) are not considered as needing a transit service, but are more accurately described as having a medical need more properly provided by an ambulance service.
 - 4) Trips for health services outside ----- are considered as unmet transit needs if the service or treatment is not available within the county.

Reasonable To Meet

It is defined as follows:

- 1) An operation that can demonstrate that it can maintain passenger fare revenues equal to or greater than 15% of total operation and administration costs.

Nothing in this definition construes that the jurisdictions have any financial responsibility beyond the funding available through the Transportation Development Act.

Unmet Transit Needs

Unmet transit needs is defined as a need of ----- county elderly, disabled, low income, youth, and other transit dependent groups for transit service that is currently not available and, if provided for, would enable the transit dependent person to obtain the basic necessities of life primarily within ----- county. "Necessities of life" are defined as trips necessary for medical and dental services, essential personal business, employment, social service appointment, shopping for food or clothing, and social and recreational purposes.

Reasonable To Meet

Reasonable to meet is defined as transit needs for the necessities of life which pertain to all public and/or specialized transportation services that:

- a) can be proven operationally feasible;
- b) can demonstrate community acceptance;
- c) would be available to the general public;
- d) can be proven to be economical; and
- e) can demonstrate cost effectiveness by meeting current fare box revenue requirements of the ----- within two years.

Unmet Transit Needs

Those transportation or specialized transportation services that are identified in the Regional Transportation Plan, or proposed during the annual transit needs hearing process which have not been implemented or funded.

Reasonable To Meet

New, expanded or revised transportation services that meets the following criteria:

- 1) Transit or paratransit service which if implemented or funded would not cause the responsible operator or claimant to incur expenditures in excess of the maximum amount of Local Transportation Funds or State Transit Assistance Funds available to the entity.
- 2) Transit service which if implemented or funded would result in the responsible operator or claimant meeting farebox and other performance indicators adopted by the ----- as follows:
 - a) Expansions to existing services will be considered reasonable if the projected passengers per hour and farebox recovery ratio are at least 80% of the existing system average.
 - b) Implantation of a new service will be considered reasonable if the projected net costs, passengers per mile, passengers per hour and ratio of fare revenues to operation cost are within 50% of comparable system averages.
- 3) Transit or paratransit services which the ----- finds to be reasonable after considering the following factors:
 - a) Equity: New or expanded system is needed by, and will benefit either the elderly and disabled population or the general public as a whole.
 - b) Timing: Time frame for implementation of new or expanded service is consistent with other current or planned service.
 - c) Feasibility: Operator is capable of providing service (i.e. available equipment etc.)
 - d) Community Acceptance: There is a reasonable level of community support for the proposed service.
 - e) Cost effectiveness: The cost per passenger, cost per service hour and other operating statistics, as available, are consistent with currently provided paratransit service as follows:
 - I. Expansions to existing transit/paratransit services will be considered reasonable if the projected passengers per hour and farebox recovery ratio are at least 80% of the existing system average.
 - II. Implementation of a new paratransit service will be considered reasonable if the projected net costs, passengers per mile, passengers per hour and ratio of fare revenues to operating cost are within 50% of existing system averages.
- 4) If an existing service fails to meet ridership or cost effectiveness standards for a full fiscal year, or if a new or expanded service fails to meet these standards after one full year of operation, reasonable efforts will be made for an additional year to rectify the situation. If service has not met performance standards for a two year period, and efforts to improve service productivity have been documented by the operator to be unsuccessful, the service will be subject to termination as not being a transit need that is reasonable to meet.

As established by the -----, operators in ----- shall maintain a ratio of fare revenues to operating cost, at least equal to .16. The terms fare revenues and operating cost are set forth in Sections 99205.7, 99247(a), 99268.10, 99268.16 and 99268.17 of the Public Utilities Code.

Unmet Transit Need

Unmet transit needs are those trips required, but unprovided, for individuals to maintain a minimum standard of living. This may include trips necessary for medical and dental services, shopping, employment, personal business, education, social services, and recreation. Unmet transit needs are also those needs required to comply with the requirements of the Americans with Disabilities Act.

Reasonable To Meet

Unmet transit needs may be found to "reasonable to meet" if all the following conditions prevail:

- 1) Service which, if implemented or funded, would result in the responsible service meeting the farebox recovery requirement specified in California Code of Regulations Sections 6633.2 and 6633.5, and Public Utilities Code Sections 99268.2, 99268.3, and 99268.5.
- 2) Service which, if implemented or funded, would not cause the responsible operator to incur expenditures in excess of the maximum amount of Local transportation Funds, State Transit Assistance Funds, Federal Transit Administration Funds, and fare revenues and local support, as defined by Sections 6611.2 and 6611.3 of the California Administrative Code, which may be available to the claimant.
- 3) Community support exists for the public subsidy of transit services designed to address the unmet transit need, including but not limited to, support from community groups, community leaders, and community meetings reflecting a commitment to public transit.
- 4) The needs should be in conformance with the goals included in the Regional Transportation Plan.
- 5) The need is consistent with the intent of the goals of the adopted Short Range Transit Plan of the applicable jurisdiction.

Unmet Transit Needs

Unmet transit needs are, at a minimum, those public transportation or specialized transportation services that are identified in the Regional Short Range Transit Plan Report, and the Regional Transportation Plan (Regional Mobility Plan) that have not been implemented or funded.

Reasonable To Meet

Reasonable to meet shall include the following factors: Community acceptance, timing, equity, economy (both short term and long term), and cost effectiveness including the ability to meet the required farebox ratios.

Unmet Transit Need

Unmet transit need is any deficiency in the system of public transit services, specialized transit/paratransit services, and private transportation services within the jurisdiction of ----- County that has been identified by community members or through a local or regional planning process and that has not been funded and implemented. At a minimum, this may include desires for transportation services that are identified through: the annual TDA unmet transit needs public hearing, or in compliance with the Americans with Disabilities Act.

Reasonable To Meet

Reasonable to meet is a determination to be made regarding "unmet needs" based upon certain guidelines, performance and financial standards. Such standards include:

- The performance standard for fixed-route and route deviation services shall meet the 10% fare revenue ratio.
- All other services shall achieve at least the fare revenue ratio and passenger productivity standards established in the -----Transportation Development Plan and the Regional Transportation Plan, or as established by statute.
- Any extension of service shall not cause the service to which it is part to fail to meet the systemwide performance standards. Considered separately, each service shall achieve at least half the systemwide performance standards.
- The unmet transit need will not require the expenditure of more than the affected jurisdiction's proportional share of Transportation Development Act funds that are apportioned by the ----- on the basis of population.
- Likely demand for service based on transit use rates per capita in comparable communities.
- Likelihood that service would put system in jeopardy of losing state or federal funding as a result of failing to meet mandated performance or efficiency standards.
- In the case of paratransit service provided complimentary to fixed route service, whether meeting the need would require spending a greater amount than that required by an undue financial burden waiver approved by the Federal Transit Administration under the Americans with Disabilities Act.
- Opportunities for coordination among adjoining public entities or with private transportation providers and/or funding agencies. This should include consideration of other existing resources (including financial), as well as the legal or customary responsibilities of other entities (e.g., social services agencies, religious organizations, schools, carpools, etcetera). Duplication of other services or resources is unnecessary and not a prudent use of public funds.
- Feasibility to initiate service within the coming fiscal year, due to time required for vehicle acquisition, planning, similar timing factors, or because additional information is needed to determine whether or not the unmet transit need is reasonable to meet. An unmet transit need should not be determined unreasonable to meet more than once on these grounds.
- The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for a finding that a transit need is not reasonable to meet.
- The determination of whether an unmet transit need is reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.

Unmet Transit Needs

Unmet needs are defined as expressed or identified needs of a significant segment of the community for public transportation services to meet basic mobility needs which are not currently being met through existing transit services or other means of transportation.

Included, at a minimum, are those public transportation or specialized services which are identified in the Regional Transportation Plan, Short Range Transit Plan and/or Transit Development Plan, that have not been implemented or funded.

Reasonable To Meet

In making the reasonableness determination, an analysis will be conducted on existing transit services, available options, likely demand and general costs based on similar services in the area and available studies. Once completed, the following criteria shall be considered:

A. Equity

The proposed service:

- 1) Shall not unreasonably discriminate against nor favor any particular area or segment of the community.
- 2) Shall not result in reduced service levels for other parts of the transit system that have an equal or higher priority.
- 3) Shall require a subsidy per passenger generally equivalent to other parts of the transit system unless overriding reasons so justify.
- 4) Shall not adversely affect existing systems (or systems with higher priority) immediately or within the foreseeable future.

B. Timing

The proposed service:

- 1) Shall be in response to an existing rather than a future need.
- 2) Shall be implemented consistent with federal or state grant approval delays if such a grant is the most appropriate primary method of funding.

C. Feasibility

The proposed service

- 1) Shall be provided within available funding and shall not exceed the operator's funding ability.
- 2) Shall be provided with the existing vehicle fleet or with vehicles that can be acquired with available funds.
- 3) Shall not unduly affect the operator's ability to maintain the required fare to operating cost ratio.

D. Community Acceptance

A significant level of support exists for the public subsidy of transit services designed to address the unmet transit need, including but not limited to, support from community groups, community leaders, and community meetings reflecting a public commitment to public transit.

E. Economy

The provision of the proposed transit service shall not set a precedent for other service expansions without a reasonable expectation of available funding.

The proposed service shall have a reasonable expectation of future demand and funding to maintain general conformance with all parts of this definition.

F. Cost Effectiveness

The estimated number of passengers carried per service hour for the proposed service shall be in the range of other similar service provided by the operator.

G. Other Factors

Other specific articulable factors which ----- determines to affect the reasonableness of meeting an unmet transit need.

Unmet Transit Needs

Unmet transit needs are, at a minimum, those public transportation or specialized transportation services that are identified in the most recently adopted ADA Complementary Paratransit Plan, the seven-year transit operation and capital plan and the ----- Regional Mobility Plan that have not been implemented or funded.

Reasonable To Meet

Reasonable to meet shall include the following factors: community acceptance, timing, equity, economy (both short-term and long-term), and the cost effectiveness including the ability to meet the required ratio of passenger fares to cost and /or other performance criteria adopted by ----- .

Unmet Transit Needs

Unmet transit needs are the trips required, but unprovided for, those persons recognized as transportation disadvantaged so as to provide themselves with the essentials necessary to maintain a minimum standard of living. This includes trips necessary for medical and dental services, shopping, employment, personal business, education, social services, and recreation.

Reasonable To Meet

Reasonableness to meet transit unmet needs is defined in economic feasibility terms in unit average cost per type of service. If the average cost per ride, by type of service, can be provided at/or below the areawide average cost per ride by type of service, with an allowance of 10% variance of the average cost, meeting that unmet need will be deemed REASONABLE TO MEET.

Unmet Transit Needs

An unmet transit need is a mobility need that: is not being met by the current public transit system; is essential for transit dependents or choice riders; has been identified by community input through the public hearing process; or is in the Regional Transportation Plan (RTP) or the Clean Air Plan (CAP). The following are the adopted criteria for determining if a request is an unmet need:

- 1) The request fills a gap in transit service or is identified as a deficiency in the RTP or CAP.
- 2) Sufficient broad-based community support exists (15 requests for general public service, 10 requests for disabled service). Persons who will likely use the service on a routine basis must demonstrate community support.
- 3) Request is a current rather than a future need.
- 4) Request is not operational in nature (minor route change, bus stop change, etc.)

Reasonable To Meet

An unmet transit need is reasonable to meet if the new, expanded, or revised service, if implemented, will not cause the responsible operator to incur expenditures in excess of available TDA funds, and would meet the required fare box ratio based on projected ridership. The following are the adopted criteria for determining if an unmet need request is reasonable to meet:

- 1) Request is projected to generate a 10% fare box ratio.
- 2) Service will not involve funding from a non-served entity.
- 3) Service is comparable with other serviced or is a market-driven service (greater than 40% projected load/capacity factor).
- 4) Request is fundable with existing TDA funds, without reducing other existing services.

Unmet Transit Needs

An unmet transit need is the expressed or identified need of a significant segment of the community for additional public transportation services to meet existing basic mobility needs which are not currently being met through the existing system of public transit services or private transportation services. Included, at a minimum, are those public transportation or specialized services which are identified in the Regional Transportation Plan, short-range transit plan, and/or transit development plan, that have not been implemented or funded.

If an expressed or identified need is determined by ----- to be an "operational issue", it shall not be considered to be an unmet transit need. Requests that do not require an identifiable additional increment of service will generally be considered operational. Issues such as, but not limited to, the adequacy of location of bus stops, minor route improvements, marketing, and service reliability will generally be considered operational.

The identified needs must be for the system of general public transit services. The transportation needs of a limited set of individuals or of the clients of agencies shall not, in and of themselves, be sufficient to justify a finding of unmet transit needs. All eligible users of a given service should have equivalent access or opportunity to use the service.

Reasonable To Meet

An identified unmet transit need shall be determined to be "reasonable to meet" if -----
----- determines that the transit service will be in general compliance with the
following criteria:

- 1) Can be implemented consistent with the transportation improvement priorities, policies and performance standards contained in the Regional Transportation Plan, the transit development plan, or the short-range transit plan for the area.
- 2) Can be implemented safely and in accordance with local, state, and federal laws and regulations.
- 3) The additional transit service shall not cause the system of which it is a part to fail to meet systemwide performance standards including:
 - a) the operator's ability to maintain the required fare to operating cost ratio;
 - b) the estimated number of passengers carried per service hour for proposed service shall be in the range of other similar services provided; and
 - c) the estimated subsidy per passenger shall be equivalent to other parts of the transit system.
- 4) When the additional transit service is considered separately, both the fare to operating cost ratio and the estimated subsidy per passenger shall not vary by more than 20% from the average for the type of service provided by the operator.
- 5) The proposed service would not cause claimant to incur expenses in excess of the maximum allocation of TDA funds.

Unmet Transit Needs

An unmet transit need under the Transportation Development Act shall be found to exist only under the following conditions:

- 1) A population group in the proposed transit service area has been defined and located which has no reliable, affordable, or accessible transportation for necessary trips. The size and location of the group must be such that a service to meet their needs is feasible within the definition of "reasonable to meet" as set forth below.
- 2) Necessary trips are defined as those trips which are required for the maintenance of life, health, and physical and mental well-being, including trips which serve employment purposes.
- 3) Unmet transit needs specifically include:
 - a) Transit or specialized transportation needs identified in the transit system's Americans with Disabilities Act Paratransit Plan or short-range Transit Plan which are not yet implemented or funded.
 - b) Transit or specialized transportation needs identified by the Social Services Transportation Advisory Council and confirmed by the RTPA through testimony or reports which are not yet implemented or funded.
- 4) Unmet transit needs specifically exclude:
 - a) Minor operational improvements or changes, involving issues such as bus stops, schedules and minor route changes.
 - b) Improvements funded or scheduled for implementation in the following fiscal year.
 - c) Trips for any purpose outside of -----, in accordance with Public Utilities Code (PUC) Section 99220 (b).

- d) Primary and secondary school transportation.
- e) Future transportation needs.

Reasonable To Meet

An identified unmet transit need shall be "reasonable to meet" only under the following conditions:

- 1) It has been demonstrated to the satisfaction of the ----- that transit service adequate to meet the unmet need can be operated with a subsidy not to exceed 80% of operating cost in urbanized areas and 90% in nonurbanized areas. It must also have been demonstrated that the unsubsidized portion of operating costs can be recovered by fare revenues as defined in the State Controller's Uniform System of Accounts and Records. The "Cost Allocation Method" is the method to be used for determining farebox ratio.

Transit service subsidy maximums may be determined on an individual route or service area, or an individual proposed route or service area, basis.

- 2) The proposed expenditure of Transportation Development Act funds required to support the transit service does not exceed the authorized allocation of the claimant, consistent with PUC Sections 99230-99231.2 and TDA Regulations Sections 6649 and 6655.

The fact that an identified need cannot fully be met based on available resources, however, shall not be the sole reason for finding that a transit need is not Reasonable to Meet.

- 3) The proposed expenditure shall not be used to support or establish a service in direct competition with an existing private service, nor to provide 24-hour service.
- 4) Where transit service is to be jointly funded by two or more of the local claimant jurisdictions, it shall be demonstrated to the satisfaction of the agency that the resulting inter-agency cost sharing is equitable. In determining if the required funding equity has been achieved the agency may consider, but is not limited to considering whether or not the proposed cost sharing formula is acceptable to the affected claimants.

Unmet Transit Needs

A lack of available transportation related services supported by adequate and reasonable findings which restrict or prevent movement of people within ----- as identified in the Regional Transportation Plan and giving priority to the handicapped and the elderly who do not have available transportation or transit due to physical or financial reasons, and to levels of local services not presently provided or which are not provided at a desirable level.

Reasonable to meet

- 1) Any new, expanded or revised transportation service that offers equitable access to all persons including the young, poor, old and handicapped that when evaluated against such criteria as equity, timing, feasibility, economy, community acceptance and cost effectiveness; that service generates, or is estimated to generate the required fare box recovery.

- 2) A transportation system that when implemented meets a (10%) ten percent fare box return and does not exceed a yearly total operating cost in TDA funds of \$43,957.00.

Unmet Transit Need

An unmet transit need is any deficiency in the system of public transit services, specialized transit/paratransit services, and private transportation services within the jurisdictions of ----- which has been identified by community members or through a local or regional planning process and which has not been funded and implemented. At a minimum, this may include desires for transportation services which are identified through the annual TDA Unmet Transit Needs hearings, by the -----, in the Regional Transportation Plan, in the Short-Range Transit Plan of any transit operator, or in the compliance plan for the Americans with Disabilities Act as prepared by any public or private entity.

----- recognizes that public transportation includes a broad range of users, and destinations. Although some services may be restricted or give priority to traditionally transit-dependent populations (such as elderly, youth, disabled, or low-income persons), all eligible users should have equivalent access or opportunity to use the service. The transportation desires of a small group of individuals or of the clients of particular agencies shall not, in and of themselves, be sufficient to justify a finding of unmet transit need.

Trips which would duplicate transportation services to the general public are not considered unmet transit needs.
 A need for transportation service beyond the fiscal year under consideration shall not be considered to be an unmet transit need at the present time.

Provision of escorts or attendants is not a transit need.

Reasonable To Meet

An identified unmet transit need can be determined to be "reasonable to meet" if it is demonstrated, based upon ----- staff analysis or other independent evidence, that the transit need can be met within the following performance and financial standards:

The performance standards for fixed-route systems in the urbanized area is 20% fare revenue ratio and 21 passengers per vehicle service hour.

All other systems shall achieve at least the fare revenue ratio and passenger productivity standards established in the Regional Transportation Plan or as established by statute.

An extension of service shall not cause the system of which it is a part to fail to meet the systemwide performance standards. Considered separately, it shall achieve at least half the systemwide performance standards, except in the case of an extension of service determined to be a necessary lifeline service for transit dependent populations.

The unmet transit need will not require the expenditure of more than the affected jurisdiction(s) proportional share of Transportation Development Act funds that are apportioned by ----- on the basis of population.

The determination of whether a transit need is reasonable to meet shall also take into account as appropriate:

Likely demand for service based on transit use rates per capita in comparable communities.

Whether a service to meet the need would put the system of which it is a part in jeopardy of losing state or federal funding as a result of failing to meet mandated performance or efficiency standards.

In the case of any new general public transit services, potential Americans with Disabilities Act implications within that service area, including whether or not complementary paratransit services, if required, would impose an "undue financial burden" on the public entity.

In the case of a paratransit service provided complementary to fixed-route service by a public entity, whether meeting the need would require spending a greater amount than that required by an undue financial burden waiver approved by the Federal Transit Administration under the Americans with Disabilities Act.

Opportunities for coordination among adjoining public entities or with private transportation providers and/or funding agencies. This shall include consideration of other existing resources (including financial), as well as the legal or customary responsibilities of other entities (e.g., social service agencies, religious organizations, schools, carpools, etc.). Duplication of other services or resources is unnecessary and not a prudent use of public funds.

An unmet transit need may be determined to be unreasonable to meet because it is not feasible to initiate service within the coming fiscal year, due to the time required for vehicle acquisition, planning, or similar timing factors, or because additional information is needed to determine whether or not the unmet transit need is reasonable to meet. An unmet transit need shall not be determined unreasonable to meet more than once on these grounds.

The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for a finding that a transit need is not reasonable to meet.

The determination of whether an unmet transit need is reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.

Unmet Transit Needs

----- adopts the following definitions:

- 1) Those public transportation or specialized transportation services that are identified in the Regional transportation Plan and that have not been implemented or funded;
- 2) Those public transportation service needs that have been identified in a special study identifying and assessing the needs to groups or services set forth in Section 99401.5 (c), (Transportation Development Act).

Said special study shall be required prior to the allocation of Transportation Development Act funds for uses not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrian and bicycles.

Reasonable to Meet

Those unmet transit needs that the Local Transportation Commission of ----- finds are within the ability of the claimant to satisfy or reduce, based on a Commission authorized and claimant funded assessment of alternative methods of meeting said unmet transit needs and the ability of the claimant (considering such factors as equity, timing, feasibility, community acceptance, economy (short-term and long-term), cost-effectiveness, and other factors related to transit services deemed appropriate by the ---- ----- to provide for identified unmet transit needs.

Unmet Transit Needs

----- defines "unmet transit needs" as,

Public transit services not currently provided for persons who rely on public transit to maintain independence, participate in their community, reach employment and other services.

----- defines unmet transit needs to :

A. specifically include:

- 1) Transit or specialized transportation needs identified in ----- County's Americans with Disabilities Act Paratransit Plan which are not yet implemented or funded; and
- 2) Transit or specialized transportation needs identified and proven by the Social Services Transportation Advisory Council through testimony or reports which are not yet implemented or funded.

B. Specifically exclude:

- 1) Minor operational improvements or changes, involving issues such as bus stops schedules and minor route changes;
- 2) Improvements funded or scheduled for implementation in the following fiscal year,
- 3) Trips for any purpose outside of -----, and
- 4) Future transportation needs.

Reasonable To Meet

Unmet transit needs that are reasonable to meet will be based on analysis using the following criteria:

A. Cost Effectiveness

- 1) The new, expanded or revised transit service, if implemented or funded, would not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocation of TDA funds.

- 2) The new, expanded or revised transit service, if implemented or funded, would allow the responsible operator or service claimant to meet the required farebox revenue to operating cost ratios.

B. Community Acceptance

Support exists for the public subsidy of the new, expanded or revised transit service, as indicated through the public hearing process or other means of communication.

C. Equity

- 1) The new expanded or revised transit service is needed by, and will benefit, either the general public or the elderly and disabled population as a whole. Transit service cannot be provided for a specific subset of these groups.
- 2) Complimentary paratransit services cannot exceed the level of service provided to the General plan.

D. Operational Feasibility

- 1) The new, expanded or revised transit service must be safe to operate and there must be adequate roadways and turnouts or transit vehicles.
- 2) Potential providers are available to implement the service.

E. Financial Feasibility

Supporting data indicates sufficient ridership and revenue potential exists for the new, expanded or revised transit service to meet or exceed the required farebox revenue to operating cost ratios on a stand alone basis.

F. ADA Conformity

The new, expanded or revised transit service, in conforming with the requirements of the Americans with Disabilities Act, will not impose an undue financial burden on the transit operator or claimant if complementary paratransit services are subsequently required.

G. System Impact

The effect of the new, expanded or revised transit service on the overall system's measures of efficiency and effectiveness, such as the cost per passenger trip, cost per vehicle service hour, passenger trips per vehicle service hour, passenger trips per service mile, on-time performance and vehicle service hours per employee shall not be significantly adversely impacted.

H. Impact Limits

Implementation of the new, expanded or revised transit service will be considered reasonable if the projected average cost per trip, by type of service, can be provided at a cost no higher than 10% above the average cost per passenger trip, by type of service, of the overall transit system.
