



Transportation Development Act Handbook

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Photo: Aurora Novis Rachid

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Chapter 1: Introduction

The Tahoe Regional Planning Agency (TRPA) Transportation Development Act (TDA) Handbook is intended to provide a clear set of instructions for claimants and TRPA staff to file and manage TDA claims. The California [TDA Guidebook](#) outlines the processes for allocating and distributing funds, determining which jurisdictions are eligible for transit and bike and pedestrian claims, responding to fiscal and performance audits, conducting public outreach, and coordinating the unmet transit needs process. The TDA program is governed by the rules and statutes contained in the Public Utilities Code (PUC), the California Code of Regulations (CCR), and by non-TDA statutes contained in the California Vehicle Code (CVC). These rules and statutes will be referenced throughout this Guidebook. Per PUC § 99261, the transportation-planning agency may adopt rules and regulations supplemental to, and consistent with, those of the department to further delineate procedures for the submission of claims and stating criteria by which they will be analyzed and evaluated. To the extent necessary to perform its duties under this article, the transportation-planning agency has full access to the books, records, and accounts of claimant operators. Procedures outlined in this handbook will clarify TRPA's process for soliciting and approving TDA claims for funds in accordance with the California Transportation Development Act Guidelines and TRPA's transportation goals and policies.

Transportation Development Act Overview

The Transportation Development Act (TDA) of 1971, enacted by the California Legislature to improve existing public transportation services and encourage regional transportation coordination, provides funding for transit and non-transit related purposes that comply with regional transportation plans. The TDA provides two funding sources, which are only applicable to California projects and services:

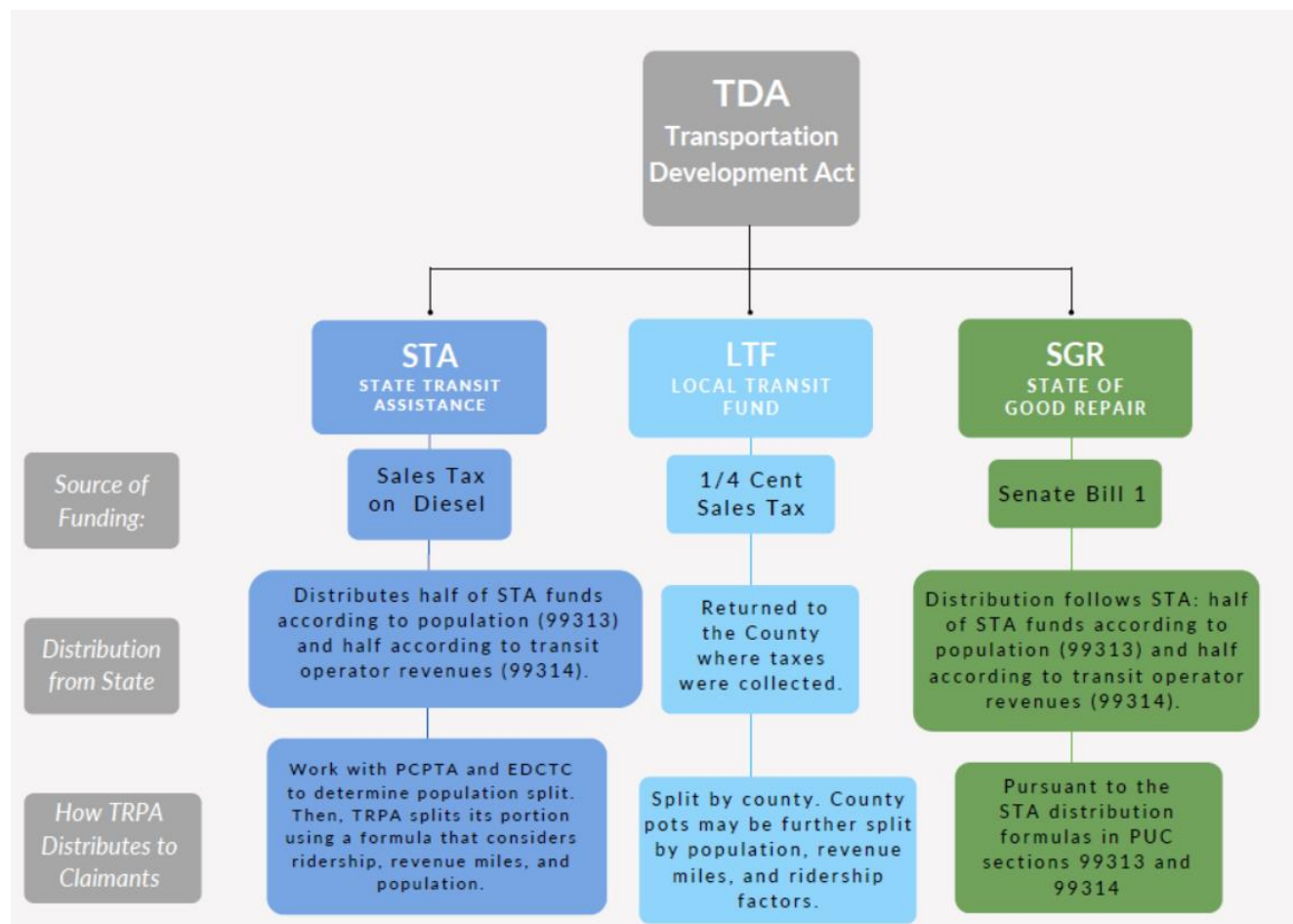
- **Local Transportation Fund (LTF)** – The LTF is derived from a ¼ cent of the general sales tax collected statewide. The sales tax collected in each county is returned to the county where the tax was generated. Each regional transportation planning agency (RTPA) is responsible for apportioning and allocating LTF money to the claimants within their jurisdiction. The RTPA informs the counties of the apportionment, and each county then distributes the money to claimants. LTF funds may be used for public transit services, planning and programming, bus and rail projects, local streets and roads, construction and maintenance, and bicycle and pedestrian facilities.
- **State Transit Assistance Fund (STA)** – The STA fund is derived from the statewide sales tax on gasoline and diesel fuel. Statute requires that 50 percent of STA funds be allocated according to population and 50 percent be allocated according to operator revenues from the prior fiscal year. STA funds may only be used for transportation planning and public transit services.

TRPA is the California state-designated RTPA recognized by the state's Business, Transportation and Housing Agency. As an RTPA, TRPA is responsible for the administration of TDA funds received for the Tahoe Region. Encouraging public participation is a key component of the TDA program. Public meetings and unmet transit needs workshops are held to discuss public transportation needs and concerns. As the RTPA, TRPA is required to establish a Social Service Transportation Advisory Council (SSTAC), comprised

of transit-dependent representatives including disabled, low-income, and senior community members. SSTAC members meet to discuss unmet transit needs criteria, which are used in making project approval decisions. The SSTAC is assisted in this process by the Tahoe Area Coordinating Council for the Disabled (TACCD) in the South Shore and the Community Collaborative of Truckee Tahoe (CCTT) in the North Shore. The groups share membership with the SSTAC, so the meetings are held concurrently to reach a larger audience of stakeholders committed to specialized public transportation services.

The TDA PUC requires that all transit operators and Regional Transportation Planning Entities (RTPE) have an annual fiscal audit and a triennial performance audit conducted of their activities. Fiscal audits include transit operator's expense-to-revenue ratio, known as farebox recovery. The performance audit conducted every three years is meant to evaluate and enhance performance and productivity of planning agencies and transit operators. TRPA, as the transportation planning agency, is responsible for designating entities other than itself, a county transportation commission, or an operator to conduct fiscal and performance audits. Pursuant to PUC 99245, all claimants, including county offices, shall submit annual certified fiscal audits to the TRPA within 180 days following the end of the fiscal year.

Figure 1.1: Breakdown of TDA Funding



Chapter 2: Allocation of TDA Funds

The following entities are eligible claimants for allocation of TDA funds: the county auditors, TRPA, cities, counties, CTC's, operators, and transit districts. The TDA statute is divided into nine articles, each with different requirements and provisions. Entities are eligible to file claims under specific TDA articles, which is further detailed in Table 3.1 and Table 3.2 with prioritizations. TRPA has a Memorandum of Understanding (MOU) between TRPA, TTD, and Placer County, included in Appendix D. The MOU was developed to ensure that transit funds are distributed in the Lake Tahoe Region in compliance with federal requirements. TRPA receives and distributes funds in accordance with the sub-allocation methodology in Exhibit A of the MOU. This formula can be applied to both federal and state transit funds. The methodology uses a population-based formula that is updated annually to distribute funds between transit operators and planners. TRPA will use this methodology to allocate LTF and STA funds.

Local Transportation Funds Allocation Process

LTF money is apportioned to jurisdictions first by county, and then further based on the transit sub-allocation formula. In El Dorado County and Placer County, the LTF apportionment is first split between the Placer County Transportation Planning Agency (PCTPA), El Dorado County Transportation Commission (EDCTC) and TRPA based on the population in each regional jurisdiction. Before allocating its portion of funds to the transit operators, TRPA allocates \$75,000 “off the top” for TRPA transit planning and programming per Public Utility Code (PUC) Section 99233.2 which allows up to three percent set aside. The El Dorado County and Placer County controller's offices also take administrative fees “off the top” per PUC 99233.1, which vary based on their portion of allocated money. The remaining funds are distributed between TDA claimants using three steps: apportionment, allocation, and payment.

1. **Apportionment** – Typically each year by February 1st, TRPA receives preliminary LTF fund balance estimates for the next fiscal year from the El Dorado County and Placer County auditor-controllers. The estimate is a conservative measure based on prior apportionments and current economic conditions. TRPA processes the estimates and sends a memorandum to each claimant notifying claimants of the preliminary apportionment estimates, typically in March. In July and August, TRPA updates final apportionment estimates based on revised population calculations and potential LTF fund estimated balance updates from El Dorado or Placer Counties. TRPA amends the final apportionment estimates in August and submits the final apportionment estimates to claimants.
2. **Allocation** – Once estimated funds have been apportioned to the claimants, the jurisdictions are responsible for allocating their funds for the coming fiscal year. Given that TRPA chooses to use all TDA funds for transit services, the claimants must allocate 100 percent of their apportionment to transit operations, capital, and oversight. Capital projects must directly benefit transit operations in California. To receive TDA funds, claimants must file a TDA claim packet with TRPA. The claim packet requires claimants to fill out a financial plan, detail the status of previously approved projects, submit operations and ridership data, complete a

productivity improvement progress report, and certify conformance with the PUC and California Code of Regulations (CCR). Claimants may use the initial apportionment estimate when they bring the claim packets to their boards. After receiving approval from their respective boards, the claimants submit their final claim packets to TRPA. TRPA staff brings the final packets and a resolution to the TRPA Governing Board for approval. The TDA claim packet is included in Appendix B and [online here](#).

3. **Payment** – After estimated funds are apportioned, allocated, and approved by the TRPA Governing Board, TRPA sends an LTF allocation letter and resolution packet to each County’s auditor-controllers, requesting payment to the claimants. The auditor-controllers may then release funds to the claimants incrementally. Pursuant to PUC 99245, all claimants, including county offices, shall submit annual certified fiscal audits to the TRPA within 180 days following fiscal year end. The TRPA cannot submit funding allocation release requests unless the TRPA and claimants are in compliance with PUC 99245.

LTF Split for Claimants by Fiscal Year

1. SCO returns revenue to County where tax was collected.
2. TRPA receives revenue based on % of population within Placer County and El Dorado County.
 1. 3% of Placer County Population, 0.2% of El Dorado County Population.
3. TRPA allocates \$75,000 for TRPA transit planning and administrative program costs.
4. The Placer and El Dorado County Auditor-Controller offices allocate \$264 and \$10,000 respectively for administrative program costs.
5. When there are multiple operators within the same county submitting claims for LTF funds, TRPA will further split LTF funds using a formula that considers the operators prior year revenue miles and ridership, and the service area population.

State Transit Assistance Funds Allocation Process

In July 2017, California Governor Jerry Brown signed into law Assembly Bill 1113, for the State Transit Assistance Program, requiring EDCTC, PCTPA, and TRPA to submit to Caltrans annually a revised formula defining how PUC Section 99313 STA population funds should be split and allocated to each jurisdiction for distribution. Using the annual split, Caltrans instructs the California State Controller’s Office (SCO) to apportion the PUC Section 99313 funds to each respective jurisdiction.

STA funds are apportioned to jurisdictions based on a formula allocating 50 percent of funds according to population and 50 percent according to the prior-year proportion of regional transit operator revenues. If a transit system operates within multiple RTPA jurisdictions, both RTPAs have the authority to apportion and allocate TDA funds. In the case of a transit system operating in both TRPA and PCPTA jurisdiction, PCTPA handles the revenue-based portion of STA funds available for the transit system as defined by PUC section 99314. A transit system operating only in TRPA jurisdiction will receive 99314 funds directly from the State Controller after TRPA allocates their portion of funds. The remaining 50 percent portion of STA funds as defined by PUC section 99313, are allocated to the claimants using a formula that considers revenue miles, population, and ridership. All STA funds may only be used for

transit planning or transit operations. TRPA processes STA funds using four steps: apportionment, allocation, and payment.

PUC section 99243(b) requires that each transportation planning agency and county transportation commission report to the State Controller's Office (SCO) the transit operators within their jurisdictions that are "STA-eligible operators" for the purposes of the State Transit Assistance (STA) program. An "STA-eligible operator" is defined as an entity that:

- Is a public transportation operator (99210)
- Operates a public transportation system (99211); and
- Is eligible to claim LTF funds under either Article 4 (99260), Article 8 (99400), or both articles (99312.2(b)(2)).

To receive STA allocations, STA-eligible operators must be certified annually. TRPA submits a list of STA-eligible operators for certification by the SCO within seven months after the end of each fiscal year (January 31st). Operators that are not certified by January 31st will not be eligible for STA allocations that year.

1. **Apportionment** – Each year, TRPA receives preliminary STA estimates from the SCO by January 31st. The estimate is based on prior apportionments and current economic forecasts. Apportionments are calculated using the STA formula allocating 50 percent by population (99313) and the other 50 percent by transit revenue (99314). 99314 revenue-based funds are allocated directly to each operator's RTPA. TRPA informs claimants of the estimated apportionment and sends claim packets in March. The State Controller finalizes apportionments by August 1st and TRPA sends a final estimate memorandum to STA claimants.
2. **Allocation** – Once STA funds are apportioned to the claimants, the jurisdictions must fill out the TDA claim packet, which requires operators to fill out a financial plan, detail the status of previously approved projects, submit operations and ridership data, complete a productivity improvement progress report, and certify conformance with the PUC and CCR. After the claimant's boards approve their claims, TRPA brings the final claim packets and a resolution to the Governing Board for approval. The TDA claim packet is included in Appendix B and online here: <https://www.trpa.gov/wp-content/uploads/TDA-Claim-Packet-Updated-2023-Fillable-1.pdf>
3. **Payment** - When the TRPA Governing Board approves the allocation applications, claims are transmitted to each County's auditor-controller for payment. To ensure compliance, the operators are required to submit their annual fiscal audit to TRPA and annually identify the funding status of projects when they submit TDA claims.

STA Fund Split for Claimants by Fiscal Year

1. SCO apportions the PUC Section 99313 funds to each respective jurisdiction based on the split formula (in Appendix D).
2. Operators in multiple jurisdictions receive 99314 funds from one designated RTPA.

3. The 99313 population-based funds are then further split using a formula that considers the operators prior year revenue miles and ridership, and the service area population.

State of Good Repair Program Allocation Process

On April 28, 2017 Governor Brown signed Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), known as the Road Repair and Accountability Act of 2017. SB 1 provides over \$50 billion in new transportation funding over the next decade to repair highways, bridges and local roads, to make strategic investments in congested commute and freight corridors, and to improve transit service. Approximately \$105 million is distributed annually to transit operators in California for eligible transit maintenance, rehabilitation and capital projects. This investment in public transit, known as the State of Good Repair (SGR) Program is funded from a portion of a new Transportation Improvement Fee on vehicle registrations due on or after January 1, 2018. In cooperation with the California State Controller's Office (SCO), SGR funds are allocated under the TDA STA program beginning in fiscal year 2017-18. SGR money is distributed to state and local governments in urbanized areas for repairs and upgrading of rail and bus rapid transit systems that are at least seven years old. Allocations for the SGR program are calculated pursuant to the distribution formulas in PUC sections 99313 and 99314. Each fiscal year, claimants submit proposed SGR funded project lists to the TRPA for TRPA Governing Board approval. Annually by September 1st, claimants submit proposed SGR funded project lists to Caltrans for final funding approval via the online CalSMART system. Claim applications for SGR funds are included with the STA claim section in the TDA claim packet in Appendix B. Entities receiving SGR funds are required to submit a Project Status and Expenditure Report to Caltrans by January 31st each year.

Chapter 3: Eligible Transit Claims

To receive TDA funds, eligible claimants must file claims with TRPA under PUC Article 4 for LTF and STA money and PUC Article 8 for LTF money depending on the applicability and eligibility.

Eligible Local Transportation Fund Claims

The TDA PUC outlines multiple purposes for which claimants may file applications to use LTF. Under Article 4 and Article 8 of the PUC, LTF money is available to fund public transportation operating costs, capital projects, transit planning and administration, and transit research for new projects. As outlined in PUC Section 99233, the LTF is allocated in a specific priority order and specifically designates funding priorities for LTF to be used for transit services. Funding for Article 4.5, Community Transit Services, is prioritized over funding for Article 4, Claims for Funds, which is prioritized over Article 8, Other Claims for Funds. Table 3.1 lists eligible LTF claims. A main difference in funding under Article 4 and Article 8 is the definition of eligible "transit operator". For purposes of Article 4, the city or county acting as transit operator is responsible for the direct operation of the service. In contrast, Article 8 (PUC Section 99400 (c)) applies to claimants that contract for operation of their transit services with outside vendors. Under Article 8, the jurisdiction can contract out its entire transit system – from planning and fare establishment to drivers and vehicles.

Table 3.1: Eligible LTF Claims

Article	PUC Section	Claim Description	Purpose	Eligible Claimants
3 – LTF Funds	99233.2	Transportation planning and programming.	TDA Administration	RTPA
3 – LTF Funds	99233.4 99234.9	Rail passenger service operations & capital improvements	Rail Services	Cities, Counties, CTC's, or Operators
4.5 – Claims for Community Transit Services	99233.7, 99275	Community transit services are transportation services which link intracommunity origins and destinations. Services for those, such as the disabled, who cannot use conventional transit services.	Operations and planning	Cities, Counties, Operators, & CTSA's
4 – Claims for Funds	99262, 99260 (a)	The support of public transportation systems.	Operations and planning	Operators
	99260 (b)	Aid to public transportation research and demonstration projects.	Operations and planning	Operators
	99260 (c)	Contributions for the construction of grade separation projects specified in Section 99318.3.	Capital projects	Operators
8 – Other Claims for Funds	99400 (a)	Local streets and roads, and projects, which are provided for use by pedestrians and bicycles.	Capital projects	Cities and Counties where not restricted
	99400 (b)	Passenger rail service operations and capital improvements.	Capital projects	Cities & Counties
	99400 (c)	Payment to any entity which is under contract with a county, city, or transit district for public transportation or for transportation assistance services.	Operations and planning	Transit Districts, Cities & Counties
	99400 (d)	Payments to counties, cities, and transit districts for their administrative and planning cost with respect to transportation services under subdivision (c).	Operations and planning	Transit Districts, Cities & Counties
	99400 (e)	Capital expenditures to acquire vehicles and related equipment, bus shelters, bus benches, and communication equipment for the transportation services.	Capital projects	Transit Districts, Cities & Counties
	99400.5	Construction and maintenance for multimodal transportation terminals.	Capital projects	Cities & Counties

Eligible State Transit Assistance Fund Claims

Per TDA law, STA funds must be used for transit services only. The CCR lists which type of transit expenditures are allowed as part of the claims process. Current claimants use STA funds primarily to operate community public transit services and demand response paratransit services. STA funds are also used for capital projects, including the construction of transit shelters, bus fleet maintenance and replacement, station safety, and various other transit-related capital amenities and efficiencies. It is the intent of the Legislature that, in allocating the funds available pursuant to Section 99313 (population-based STA funds), the transportation planning agencies and county transportation commissions give priority consideration to offsetting reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhancing existing public transportation services, and to meeting high-priority regional, countywide, or areawide public transportation needs. Table 3.2 lists specific articles under CCR Chapter 2.5 State Transit Assistance Program by which entities may file claims.

Table 3.2: Eligible STA Claims

Article	CCR Section	Claim Description	Purpose	Eligible Claimants
4 – Role of Claimants	6730 (a)	The operating cost of the operator’s public transportation system.	Operations and planning	Operator
	6730 (a)	The capital requirements of the operator’s public transportation system.	Capital projects	Operator
	6730 (b)	Construction and maintenance of intermodal transportation facilities pursuant to PUC section 99234.9.	Capital projects	Operator
	6730 (d)	Community transit service purposes pursuant to PUC section 99275.	Operations and planning	Operator
	6731 (b)	Payment to an entity under contract with the city, county, or transit district, for transportation services or payment for the claimant’s related administrative and planning cost, pursuant to PUC sections 99400 (c) and 99400 (d).	Operations and planning	Cities, Counties, or Transit Districts
	6731 (c)	To provide or contract for transportation services to elderly and handicapped persons, if the city, county, or transit district is a member of a joint powers entity operating a public transportation system, pursuant to PUC section 99260.7.	Operations and planning	Cities, Counties, or Transit District

Farebox Recovery Ratio Requirements

To qualify for TDA funds, transit operators must meet a specific farebox recovery standard set forth by the TDA. Under the State of California RTPA designation, TRPA is responsible for establishing a required ratio of fare revenue to eligible operating costs, consistent with state law requirements.

Tahoe Region received urbanized (UZA) designation from the Fixing America's Surface Transportation Act (FAST Act) on December 4, 2015. In receiving this designation, the farebox recovery standard requirement of fixed route services by TDA increased from a 10 percent rural standard to a 20 percent urban standard. This has mandated that TRPA update their farebox recovery ratio.

The current operators receiving funding calculate farebox recovery as a ratio of passenger fares to eligible operating costs, but have not yet met the 20 percent standard required of urbanized areas. However, a lower standard of 15 percent is allowed by the TDA program in CCR Title 21 Section 6645.1 because the population of the Tahoe Region Urbanized Area is less than 500,000. Additionally, PUC Section 99270.2 allows an exemption of up to five years for a newly designated urbanized area to meet the farebox recovery standard set forth by the RTPA. As a result, the TRPA Governing Board signed a resolution in September 2017 (Resolution 2017-14), which is included in Appendix E. The resolution set the farebox recovery standard for TTD and TART transit systems at 15 percent and granted a five-year exemption for the transit operators to meet that standard. Should the transit operators fail to meet the required farebox ratio with passenger fares, they may satisfy the requirement by supplementing fare revenues with local funds. Local funds are defined as any nonfederal or nonstate grant funds or other revenues generated by, earned by, or distributed to an operator. In 2020, TTD and TART both moved to operating free-to-the-user transit systems. Over the next several years, TRPA and the transit operators will work to identify and secure local funds to supplement passenger fares to continue providing free-to-the-user transit. However, the TTD and TART systems are still subject to the required farebox recovery standard of 15 percent using local funds. As per the TDA, TRPA will take the following actions should the transit operators fail to comply with the 15 percent standard after the five-year exemption period (fiscal year 2022):

1. The first fiscal year of non-compliance is the grace year and there is no change in eligibility.
2. The second fiscal year of non-compliance there is no change in eligibility, but this year is the determination year, which means TRPA will calculate the audited amount of the difference between the required and actual fare revenue to operating cost ratio as reported in the claimant's fiscal and compliance audit for the fiscal year for which the required ratio was not met. Should the operator fail to comply with the required farebox ratio again in the next fiscal year, the calculated difference will determine the amount of STA money they might lose.
3. The third fiscal year of non-compliance is the penalty year, and the operator's eligibility to receive LTF and STA money is reduced by the difference between the required and actual fare revenue to operating cost ratio as reported in the fiscal and compliance audit for the fiscal year that the required ratio was not maintained. Non-compliance results in loss of eligible funds, which will not be held by the state for the operator to use in a different year. The transit operator subject to the penalty is required to demonstrate to TRPA how it will achieve the farebox recovery standard during the penalty year.

An example of the penalty process, which is calculated in accordance with CCR section 6634, is outlined in Table 3.3 below.

Table 3.3: Three-Year Penalty Cycle*

	One-Time Grace Year	Non-Compliance Year	Determination Year	Penalty Year for Non-Compliance
Operating Cost:	\$100,000	\$100,000	\$100,000	\$100,000
Required Fares or Local Funds at 15%:	\$15,000	\$15,000	\$15,000	\$15,000
Actual Fares or Local Funds:	\$10,000	\$12,000	\$16,000	\$18,000
Reduced Eligibility:	\$0	\$0	\$0	(\$3,000)
TDA/STA Claimant's Eligibility:	\$90,000	\$88,000	\$84,000	\$79,000

*Monetary values used in table are meant to demonstrate the apportionment process and do not reflect actual apportionment amounts.

Additional Claimant Requirements

To remain eligible for TDA funds, claimants must comply with several requirements set forth by the State of California. Requirements vary based on which article the claim is filed under. The following are requirements transit operators must comply with to remain eligible for STA and LTF money:

- **Annual Fiscal Audit** – Pursuant to PUC 99245, all claimants, including county offices, shall submit annual certified fiscal audits to the TRPA within 180 days following fiscal year end.
 - Within three months of receiving the annual fiscal report from TRPA, the State Controller submits an annual report to the Legislature on the revenues available and expenditures made.
- **Triennial Performance Audit** – PUC Section 99246 requires that all transit operators and RTPes have a triennial performance audit conducted of their activities. The performance audit provides an opportunity for an independent, objective, and comprehensive review of the economy, efficiency, and effectiveness of the entity being audited. The audit also provides management with useful information assessing past activities, agency organization and operations, staff work, and accountability of public funds. Every three years, TRPA selects an auditor through a formal request for proposals to perform the performance audits of TRPA and its claimants. The audits are presented to the TRPA Governing Board and made available to the public online.
- **California Highway Patrol (CHP) Inspection** – As per PUC Section 99251, each transit operator shall be subject to the Department of California Highway Patrol (CHP) inspection and certification to ensure they comply with Section 1808.1 of the Vehicle Code. Operators must submit the CHP inspection report to TRPA when they file claim packets.
- **Extension of Services** – If a claimant has received an allocation of LTF money for an extension of service, that claimant is subject to PUC Section 99268.8 and CCR Section 6633.8 (b). The codes require transit operators to submit to TRPA within 90 days after the end of the fiscal year, a

report on the extension of those public transportation services, including, but not limited to, the area served, the revenues generated, and the operating costs of providing the extended services.

- **Implementation of Productivity Improvements** – Per PUC Section 99244, TRPA is required to annually identify, analyze, and recommend potential productivity improvements, which could lower the operating costs of those operators who operate at least 50 percent of their vehicle service miles, as defined in subdivision (i) of Section 99247, within the area under its jurisdiction. To fulfill this requirement, TRPA implemented the Productivity Improvement Program (PIP) in 2018 to monitor transit productivity and recommend annual improvements. The operators must make a reasonable effort to implement the productivity improvements recommended by TRPA. Should the transit operators fail to make a reasonable effort to implement the recommended improvements, TRPA will not approve TDA allocation of funds. As part of the TDA claims process, transit operators are required to submit an operations report online, which includes the service and operating data necessary to analyze productivity and recommend improvements. Operators must also fill out a productivity improvement progress report when they submit their claim packet to TRPA, which is where they must describe the steps they have taken to implement productivity improvement recommendations and other audit recommendations. The TDA claim packet, which includes a template for the productivity improvement progress report, is included in Appendix B.
- **Operations Report** –The operations report is required as part of TRPA’s PIP so that planners may annually analyze transit service and recommend improvements. Operators must submit the report online through the Lake Tahoe Info Monitoring Dashboard and the Transit Monitoring Program at <https://monitoring.laketahoeinfo.org/Transit> before they can receive TDA funds. PUC section 99247 lists and defines a number of performance measures which TRPA monitors as part of the PIP. These performance measures are also defined in Appendix F: Glossary – Acronyms and Definitions.

Chapter 4: TDA Application and Claims Process

Filing an Application

The first step to the application process is to submit a [Letter of Intent](#) (LOI) to apply for TDA funds. The apportionment estimate will go out to eligible claimants in March, and applicants need to submit a letter of intent to apply in April. Applicants that do not submit a letter of intent will not be eligible for that FY of funds. To receive TDA money, transit operators must file a claim with TRPA based on the California State Controller and County Office of Auditor-Controller estimates. Operators file claims by completing the TDA claim packet included in Appendix B. The claim packet ensures the claimants provide detail as to how they intend to use TDA funds apportioned to their jurisdiction for that fiscal year. The packet contains a checklist and certifications, which confirms the transit operator has satisfied all requirements laid out in the TDA PUC and CCR and is eligible to receive TDA funds. Completion of the

claim packet allows TRPA to monitor transit services and ensure the transit operator meets different TDA measures such as performance standards, completion of financial audits, and operational provisions as a condition of TRPA approving the funds for allocation. A full list of program dates, including deadlines for submitting claim packets, is included in Appendix A.

Amending and Programming Claims

Claimants may submit a claim for LTF or STA funds to TRPA as soon as the initial estimates are released. Often, claims must be amended to reflect a change in the allocation of funds. When a claim is amended, the transit operator must submit the same claim packet that is required when filing an application and must additionally submit an explanation of the amendments to be made.

Once all applications and amendments are filed with TRPA, the claims are processed and approved by the TRPA Governing Board. TRPA sends allocation letters to the respective county auditor-controller office to release the funds. The county auditor-controller's offices approve funding allocations and set up a payment schedule to distribute funds to the transit operators. TRPA then programs the funds into the Federal Transportation Improvement Program (FTIP).

Chapter 5: Public Outreach and Unmet Transit Needs Process

Each year, TRPA performs the annual Unmet Transit Needs process. The purpose of the process is to identify any unmet transit needs and ensure all unmet transit needs that are reasonable to meet are met before TDA funds are expended for non-transit uses, such as streets and roads. Currently, all of TRPA's TDA LTF apportionments available for public transportation are utilized for transit services only, but the unmet transit needs process is still conducted each year to determine where public funds may be best utilized.

During the unmet transit needs process, TRPA must establish and consult with the SSTAC, assess the size and location of potentially transit dependent groups, and analyze the adequacy of the existing transportation systems in providing service to transit dependent groups. TRPA is also required to adopt a definition of "unmet transit need" and "reasonable to meet." The TRPA Governing Board has adopted the following definitions:

- **Unmet Transit Needs** – Those public transportation improvements which have not been funded or implemented but have been identified through public input, the annual unmet transit needs hearing, and transit studies in the claimant's jurisdiction to be identified for implementation in the Regional Transportation Plan.
- **Reasonable to Meet** – New, expanded, or revised transportation service to the public that offers equitable access, can be implemented within the first five-year phase of the Regional Transportation Plan, is technically feasible, would be accepted by the community, can be funded within the five-year time period and is cost-effective.

TRPA, TTD, and TART collaboratively conduct at least two unmet transit needs workshops each year to solicit community input on transit needs. The annual workshops are held in El Dorado and Placer County between September and November. If needs are found, a determination is made as to whether or not

those needs are reasonable to meet. The identified needs are categorized into one of the following findings:

1. There are no unmet transit needs.
2. There are transit needs that are not reasonable to meet.
3. There are unmet transit needs that are reasonable to meet.

Any unmet transit needs that are reasonable to meet are identified and prioritized for funding when TDA money is released. Making a formal finding regarding unmet transit needs is only required if there is a request to program the TDA funds for non-transit purposes. Because all of TRPA's LTF apportionments are utilized for public transit services only, there is no requirement to complete the full unmet transit needs analysis or adopt unmet transit needs findings as outlined in CCR Section 99401.5 and 99401.6. While not entirely necessary, TRPA still conducts unmet needs workshops to identify reasonable to meet needs which may warrant re-allocated funds. TRPA sends all findings to transit operators to review and analyze, and TRPA compiles a report and makes official recommendations to transit operators in December. Findings and recommendations from the unmet transit needs process are also incorporated into the operators' short-range transit plans and the Coordinated Human Services Transportation Plan.

Social Services Transportation Advisory Council (SSTAC)

The SSTAC is a requirement of TDA in accordance with PUC Section 99238. Each RTPA must create a SSTAC and meet regularly to discuss transit needs. Members of the SSTAC are appointed by the transportation planning agency which shall recruit candidates for appointment from a broad representation of social service and transit providers representing the elderly, the disabled, and persons of limited means. The TDA program sets forth membership requirements stating the SSTAC shall consist of the following members:

- One representative of potential transit users who is 60 years of age or older.
- One representative of potential transit users who is disabled.
- Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
- Two representatives of local social service providers for persons with disabilities, including one representative of a social service transportation provider, if one exists.
- One representative of a local social service provider for persons of limited means.
- 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.
- The transportation planning agency may appoint additional members in accordance with the procedure prescribed in subdivision (b).

As required by law, the SSTAC is also meant to be used as a platform to ensure citizen participation throughout the Region. An annual hearing is scheduled, in addition to unmet transit needs workshops, to ensure broad community participation and to solicit, as much as possible, input from transit dependent populations.

To accurately capture the needs of both North and South Shore communities, the TRPA SSTAC is split into two separate councils. The South Shore biannual SSTAC meetings are held concurrently with the

TACCD. North Shore quarterly SSTAC meetings are held before CCTT meetings with a subset transportation focus group. The SSTAC is structured in this way to ensure as much community participation as possible and to create an easier meeting schedule for SSTAC members. TRPA's SSTAC bylaws are included in Appendix C.

Chapter 6: TRPA's TDA Administration

To advance the transit goals set forth in the Regional Transportation Plan, TRPA will prioritize TDA funds for transit operations and capital fleet expenses. Claims for funds for transportation research and demonstration projects, construction of grade separation projects, and the construction of multimodal transportation terminals will be considered secondary to operations and fleet expenses. Claims for funds for streets and roads and bicycle and pedestrian facilities will not be considered.

Priorities and Procedures

The transportation-planning agency may adopt rules and regulations supplemental to, and consistent with, those of the department to further delineate procedures for the submission of claims and stating criteria by which they will be analyzed and evaluated (99261). To the extent necessary to perform its duties under this article, the transportation-planning agency has full access to the books, records, and accounts of claimant operators.

Article 3: Pedestrian and Bicycle Facilities (PUC 99234, 99400a)

Claims for facilities provided for the exclusive use of pedestrians and bicycles or for bicycle and pedestrian safety education programs. Per TDA, up to two percent of LTF money may be used by cities and counties to fund bicycle and pedestrian facilities unless the transportation planning agency finds that the money could be used to better advantage for the purposes stated in Article 4 (commencing with Section 99260) and Article 4.5 (commencing with Section 99275). Tahoe Region transit operators and TRPA have identified transit as a priority and are working to increase route frequency and create a more reliable transit system. For the Tahoe region, LTF funding can be used to a better advantage for transit operations and planning, under Article 4. Therefore, TRPA does not allocate any LTF money to bicycle and pedestrian facilities, and only uses funds for administration, planning, and transit operations.

Article 4.5: Community Transit Services

Claims may be filed with the transportation planning agency by claimants for community transit services, including such services for those, such as the disabled, who cannot use conventional transit services. In evaluating Article 4.5 claims, TRPA will consider the cost effectiveness of the proposed community transit services, whether the proposed service meets any transportation needs not currently met in the community, and whether the transit service will integrate with existing services. TRPA will also check compliance with PUC 99155 and 99155.5. After considering the claims pursuant to subdivision (c) of Section 99275.5, TRPA may make a finding that the allocations of money could be used to better advantage for the purposes stated in Article 4 in the development of a balanced transportation system.

Article 4: Claims for Funds

Claims may be filed with the transportation planning agency by claimants for funds to support transit services under Article 4. In evaluating claims under Article 4, prioritization is given to funding for transportation operations. TRPA will prioritize claims for funds under PUC Section 99260 (a) for the support of public transportation systems. TRPA will consider claims for funds under PUC Sections 99260 (b) and 99260 (c) if the operations and capital needs of existing transportation systems are met.

Article 8: Other Claims for Funds

The California TDA Guidebook states that claims may be filed under Article 8 with the transportation planning agency by counties and cities for use on local streets and roads projects, passenger rail service operations and capital improvements, and payment to contract services. At this time, TRPA will not consider claims filed under Article 8. If TRPA adopts a finding that there are unmet transit needs, including needs that are reasonable to meet, then the unmet transit needs shall be funded before any allocation is made for streets and roads. TRPA has identified that there are unmet transit needs. Unless there is a finding that there are no unmet transit needs, funding will not be allocated to streets and roads.

Fiscal and Compliance Audits (CCR 6664)

To ensure compliance, all claimants, including county offices, are required to submit their annual fiscal audit to TRPA and annually identify the funding status of projects when they submit TDA claims. In conducting the compliance portion of the audit specified in section 6664 for a non-transit claimant, the independent auditor shall determine whether the funds received by the claimant pursuant to the Act were expended in conformance with those sections of the Act specifying the qualifying purposes. The auditor shall also determine whether the funds received by the claimant were expended in conformance with the applicable rules, regulations, and procedures of the transportation planning agency and in compliance with the allocation instructions (CCR 6666).

Managing TDA for the Tahoe Region

TDA administration is ongoing, and TRPA will continue to coordinate with transit operators and the SCO to process claims and distribute funds. TRPA conducts public outreach annually to invite community feedback on unmet transit needs and incorporates those findings into future transit planning. Additionally, TRPA will continue to monitor transit service and recommend productivity improvements to transit operator.

Appendix A: TDA Program Dates

TRPA adheres to this timeline to the best of its ability but reserves the right to modify when necessary.

Table A.1: TDA Program Schedule

Date	Entity Responsible	Program Task
January 31	State Controller	Provide next fiscal year preliminary STA and SGR apportionment estimates to TRPA
January 31	Claimants	Report SGR project status, progress, and expenditures to Caltrans
February 1	El Dorado and Placer County Auditor	Provide next fiscal year preliminary LTF apportionment estimates to TRPA
March	TRPA	Provide preliminary STA, SGR, and LTF allocation estimates to claimants; Request a Letter of Intent (LOI) from claimants intending to apply for funds
Before March 15	Claimants	Transmit <u>extended</u> claimant and county fiscal audits to TRPA; Pursuant to PUC 99245, all claimants, including county offices, shall submit annual certified fiscal audits to the TRPA within 180 days following fiscal year end
Before March 31	TRPA	Transmit <u>extended</u> TRPA, claimant, and county fiscal audits to State Controller
April	Claimants	Completed Letter of Intent (LOI) due to TRPA to confirm claimant TDA funding allocation eligibility.
April - May	Claimants	Obtain CHP California Highway Patrol (CHP) Inspection – As per PUC Section 99251, each transit operator shall be subject to the Department of California Highway Patrol (CHP) inspection and certification to ensure they comply with Section 1808.1 of the Vehicle Code. Operators must submit the CHP inspection report to TRPA when they file claim packets.
April – June	Claimants	File TDA claim packets with TRPA (this will vary pending release of final estimates from controller office). Must complete and submit forms required in the TDA claim packet before funds can be released.
August 1	State Controller	Provide revised STA and SGR estimates
August – September	TRPA	Obtain TRPA Governing Board approval for: <ul style="list-style-type: none"> Claimant TDA packets and SGR Project Lists Final estimated STA, SGR, and LTF allocations to claimants
September 1	TRPA	Provide Caltrans and the State Controller a schedule of performance audit reports to be submitted during the fiscal year and a list of all the entities subject to performance audits
September 1	TRPA with Operators	Submit SGR project lists to Caltrans; claimant preliminary SGR allocation estimates can be used if August final estimates not yet available
September 30	Claimants	Submit reports on extension of services to TRPA
September 30	TRPA	Submit annual financial transaction reports to the State Controller
September 30	TRPA	Recommend productivity improvements to operators
October 1	Caltrans	Provide list of agencies with approved SGR projects to the State Controller
Before December 15	Claimants	Transmit claimant and county fiscal audits or 90-day extension requests to TRPA; Pursuant to PUC 99245, all claimants, including county offices, shall

		submit annual certified fiscal audits to the TRPA within 180 days following fiscal year end
Before December 30	TRPA	Transmit TRPA, claimant, and county fiscal audits or 90-day extension requests to State Controller
Quarterly	TRPA	Receive County auditor report of fund status; Receive quarterly SGR payments
Triennially	TRPA & Operators	Triennial performance audit conducted for TRPA and operator entities

Appendix B: Transportation Development Act Claim Packet

TRANSPORTATION DEVELOPMENT ACT CLAIM CHECKLIST

Please check the following items as being either included with the attached TDA claim packet or on file with TRPA. TDA-I through TDA-V are included in this packet and must be filled out annually by claimants.

ITEM	ATTACHED	ON FILE
TDA-I Annual Transportation Development Act Claim	<input type="checkbox"/>	N/A
TDA-II Annual Claim Form and Financial Plan (for fiscal year of this claim and the prior fiscal year)	<input type="checkbox"/>	N/A
TDA-III Status of Prior Year Funding for Projects (including prior year transit operations, capital, and State of Good Repair projects)	<input type="checkbox"/>	N/A
TDA-IV Productivity Improvement Progress Report	<input type="checkbox"/>	N/A
TDA-V Standard Assurances Conformance Certification	<input type="checkbox"/>	<input type="checkbox"/>
TDA-VI Claim Certification	<input type="checkbox"/>	N/A
Resolution by governing body that authorizes filing of claim	<input type="checkbox"/>	<input type="checkbox"/>
CHP Safety Compliance Report (completed within the last 13 months)	<input type="checkbox"/>	<input type="checkbox"/>
List of projects proposed to be funded with SGR funds	<input type="checkbox"/>	<input type="checkbox"/>
Adopted or proposed budget for the fiscal year of the claim	<input type="checkbox"/>	<input type="checkbox"/>
Statement certifying compliance with PUC section 99155 and 99155.5	<input type="checkbox"/>	<input type="checkbox"/>
STA Operator Qualifying Criteria calculation based on PUC section 99314.6	<input type="checkbox"/>	<input type="checkbox"/>
Online Operations Report for Productivity Improvement Program found here: https://monitoring.laketahoeinfo.org/Transit	N/A	<input type="checkbox"/>

TDA-I
ANNUAL TRANSPORTATION DEVELOPMENT ACT CLAIM

MAIL TO: TRPA Transportation Department
Tahoe Regional Planning Agency
PO Box 5310
Stateline, NV 89449-5310

CLAIMANT: _____

ADDRESS: _____

CITY/ZIP CODE: _____

CONTACT NAME: _____ CONTACT NUMBER: _____

The above claimant hereby requests, in accordance with authority granted under the Transportation Development Act and applicable rules and regulations adopted by the TRPA, that its request for funding be approved as follows:

- Include Article and requested fund amount (\$) on each line. Requests for State of Good Repair (SGR) funds should be included under STA.

LOCAL TRANSPORTATION FUND (LTF):
Specify PUC Article 4, 4.5, or 8

_____(FY ____/____)
_____(FY ____/____)
_____(FY ____/____)

STATE TRANSIT ASSISTANCE (STA):

_____(FY ____/____)
_____(FY ____/____)
_____(FY ____/____)

SUBMITTED BY: _____ DATE: _____

TDA-3
ANNUAL CLAIM FORM AND FINANCIAL PLAN

Briefly describe all proposed projects and indicate proposed expenditures by your agency for the ensuing fiscal year for purposes related to public transportation operations, capital, and State of Good Repair. Provide each project a title and include its number as listed in the EIP/Transportation tracker: <https://eip.laketahoeinfo.org/>. (Use additional forms as necessary).

CLAIMANT: _____ FISCAL YEAR: _____

<p>Project Description:</p> <p>Project Cost:</p> <p>Source of Funds:</p> <p>Article & Section (PUC/CCR) for TDA Funds:</p>
<p>Project Description:</p> <p>Project Cost:</p> <p>Source of Funds:</p> <p>Article & Section (PUC/CCR) for TDA Funds:</p>
<p>Project Description:</p> <p>Project Cost:</p> <p>Source of Funds:</p> <p>Article & Section (PUC/CCR) for TDA Funds:</p>

TDA-4

STATUS OF PRIOR YEAR FUNDING FOR PROJECTS

Please list all prior fiscal year TDA claim projects and their status, including projects from previous years which are still active. Include both operating and capital projects. Approved amounts should be as specified in TDA claims approved by TRPA. Expenditures should be up to date and project status should be listed as either "Complete" or "Active." (Use additional forms as necessary).

FISCAL YEAR	PROJECT TITLE AND EIP TRACKER NUMBER	AMOUNT APPROVED	TDA ARTICLE & SECTION	EXPENDITURES	PROJECT STATUS
TOTAL		\$		\$	

TDA-5
PRODUCTIVITY IMPROVEMENT PROGRESS REPORT

Please list the recommendations provided in your last Triennial Performance Audit and any outstanding recommendations presented by TRPA as part of the Productivity Improvement Program. Describe your progress towards implementing each recommendation and indicate whether the recommendation has been fully implemented, partially implemented, or not implemented. For recommendations that have been partially implemented or not implemented, please describe the work your agency has undertaken to implement the recommendation thus far and the steps it will take to fully implement the recommendation in the future. (Use additional forms as necessary).

RECOMMENDATION	YEAR/SOURCE OF RECOMMENDATION	IMPLEMENTATION STATUS

TDA-5
STANDARD ASSURANCES CONFORMANCE CERTIFICATION

CLAIMANT: _____ FISCAL YEAR: _____

1. 180-DAY CERTIFIED FISCAL AUDIT

Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with the required certification statement, to TRPA and to the State Controller's Office, pursuant to PUC 99245 and CCR 6664 for the prior fiscal year (project year minus two). Claimant assures that this audit requirement will be completed for the current fiscal year (project year minus one).

2. 90-DAY ANNUAL REPORT

Claimant certifies that it has submitted a State Controller's report in conformance with the uniform system of accounts and reports, to TRPA and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Claimant assures that this report will be completed for the current fiscal year (project year minus one).

3. ELIGIBILITY FOR STATE TRANSIT ASSISTANCE

PUC 99314.5

(e) Nothing in this section shall be constructed to prohibit, or limit the ability of, a public transit operator to do the following:

(1) Contract with common carriers of persons operating under a franchise or license.

(2) Employ part-time drivers.

4. FAREBOX RECOVERY RATIO REQUIREMENTS

Claimants filing a claim for LTF and STA funds certifies that it complies with farebox recovery requirements laid forth in TRPA Resolution No. 2017-14 adopted by the TRPA Governing Board in September 2017. Per PUC Section 99270.2, TRPA granted Tahoe transit operators five years to meet a 15 percent ratio of fare revenues to operating cost required of an operator serving a new urbanized area. The claimant recognizes it must comply with a 15 percent farebox recovery standard following the grace period, or it will be subject to loss of eligibility for TDA funds.

5. EXTENSION OF SERVICES

Claimant that received an allocation of LTF funds for an extension of service pursuant to PUC 99268.8 certifies that it will file a report of these services pursuant to CCR 6633.8b within 90 days after the close of the fiscal year in which that allocation was granted.

6. RETIREMENT SYSTEM

Claimant filing claim pursuant to PUC Section 99260 certifies that (check one):

☐ (1) The current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system (PUC Section 99271a); or

☐ (2) The operator is implementing a plan approved by the transportation planning agency which will fully fund the retirement system for such officers and employees within 40 years (PUC Section 99271a); or

☐ (3) The operator has a private pension plan which sets aside and invests on a current basis funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in PUC Sections 99272 and 99273.

TDA-6

7. USE OF FEDERAL FUNDS

Claimant filing a claim for TDA funds for capital intensive projects pursuant to PUC 99268.7 certifies that it has made every effort to obtain federal funding for any project which is funded pursuant to PUC 99268.7.

8. REDUCED FARES FOR ELDERLY AND HANDICAPPED

A claimant filing a claim pursuant to PUC 99260 which offers reduced fares to senior citizens and disabled persons certifies that it is in compliance with PUC 99155.

9. STAFFING ON VEHICLES

Claimant certifies that it is in compliance with PUC Section 99264 that it does not routinely staff, with two or more persons, a vehicle for public transportation purposes designed to be operated by one person.

10. STATE OF GOOD REPAIR

A claimant filing a claim pursuant to PUC Section 99313 and 99314 for SGR funds certifies they provide to TRPA a list of projects to be funded with SGR apportionment made for that fiscal year. The claimant also certifies that all SGR funds be expended on SGR eligible activities specified in PUC 99212.1 (c). Claimants agree to submit annual expenditure reports to TRPA with all pertinent project information.

11. CONFORMANCE WITH TRPA REGIONAL TRANSPORTATION PLAN (RTP)

Claimant certifies that all purposes for claim expenditures conform with transit operator Short Range Transit Plans and the most current Tahoe Regional Transportation Plan.

12. IMPLEMENTATION OF PRODUCTIVITY IMPROVEMENTS

Claimant certifies that the operator has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC Section 99244. The claimant shall also identify efforts made to implement recommendations from the triennial performance audit per PUC 99246.

The _____ hereby certifies that the Transportation Development Act claim for fiscal year(s) _____ in the amount of \$_____ (LTF) and \$_____ (STA) for a total of \$_____ conforms to the requirements of the Transportation Development Act and the above conformance requirements.

Certified by Chief Financial Officer _____

Title _____

Date _____

CLAIM CERTIFICATION

I, _____, Chief Financial Officer for the _____, do hereby attest, as required under the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- a) The attached budget or proposed budget for the fiscal year of the claim (FY_____/____).
- b) The attached statement identifying and substantiating the reason or need for an increase in operating budget in excess of 15 percent above the preceding year or a substantial increase or decrease in scope of operations or capital budget provisions for major new fixed facilities.
- c) The attached certification by the Department of the California Highway Patrol verifying that the operator is in compliance with Section 1808.1 of the Vehicle Code, as required in PUC Section 99251.

(Signature, Chief Financial Officer)

(Agency Name)

(Date)

Appendix C: Social Services Transportation Advisory Council Bylaw

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

GUIDELINES AND BYLAWS

Senate Bill No. 498, approved by the Governor of California on September 16, 1987, required the establishment of social services transportation advisory councils to serve as advisory bodies to Regional Transportation Planning Agencies regarding transit needs of transit dependent and transit disadvantaged persons, including the elderly, handicapped, and person of limited means.

The Social Services Transportation Advisory Council (SSTAC) shall be governed by the following guidelines and bylaws.

Purpose and Duties

To advise Tahoe Regional Planning Agency (TRPA) on the transit needs of transit dependent and transit disadvantaged persons, including the elderly, handicapped, and persons of limited means including, but not limited to, recipients of the CalWORKS program.

To annually participate in the identification of transit needs that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services by expanding existing services.

To annually review and recommend action to be taken by TRPA which finds, by resolution, that (A) there are no unmet transit needs, (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. This process is only required if transit funds are no longer used for transit.

To advise TRPA on any other major transit issues, including the coordination and consolidation of specialized transportation services.

Membership Requirements

The Transportation Development Act sets forth membership requirements of SSTACs, per PUC Section 99238.

The SSTAC shall consist of the following members:

1. One representative of potential transit users who is 60 years of age or older.
2. One representative of potential transit users who are disabled.
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 persons with disabilities, 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. The transportation planning agency may appoint additional members in accordance with the procedure prescribed in subdivision (B).

Members of the SSTAC shall be appointed by the transportation planning agency which shall recruit candidates for appointment from a broad representation of social service and transit providers representing the elderly, the handicapped, and persons of limited means. In appointing council members, the transportation planning agency shall strive to attain geographic and minority representation. Of the initial appointments to the council, one-third of the members 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. Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term. The transportation planning agency may, at its discretion, delegate its responsibilities for appointment pursuant to this subdivision to the board of supervisors.

Council Responsibilities

The SSTAC shall have the following responsibilities:

Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the council and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.

Annually review and recommend action by the transportation planning agency for the area within the jurisdiction of the council, which finds, by resolution that (a) there are no unmet transit needs, (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.

Advise the transportation planning agency on any other major transit issues, including the coordination and consolidation of specialized transportation services.

Citizen Participation Process

TRPA shall ensure the establishment and implementation of a citizen participation process, utilizing the SSTAC as a mechanism to solicit the input of transit dependent and transit disadvantaged persons, including the elderly, disabled, and persons of limited means. The process shall include provisions for at least one public hearing. Hearings shall be scheduled to ensure broad community participation. Notice of the hearing, including the date, place, and specific purpose of the hearing shall be given at least 30 days in advance through publication in a newspaper of general circulation. TRPA shall also send written notification to those persons and organizations which have indicated, through its citizen participation or any other source of information, an interest in the subject of the hearing.

In addition to public hearings, TRPA shall consider other methods of obtaining public feedback on public transportation needs. Those methods may include, but are not limited to, teleconferencing, questionnaires, telecanvassing, and electronic mail.

Unmet Transit Needs Findings

Prior to making any allocations not directly related to public transportation services, specialized transportation services or facilities provided for the exclusively use of pedestrian and bicycles, the TRPA shall annually do all of the following:

- Consult with the SSTAC.
- Identify the transit needs of the jurisdiction which have been considered as part of the transportation planning process, including the following:
- An annual assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including, but not limited to, the elderly, the handicapped, including individuals eligible for paratransit and other special transportation services pursuant to the Federal Americans with Disabilities Act of 1990, and persons of limited means, including, but not limited to, recipients under the CalWORK's program.
- An analysis of the adequacy of existing public transportation services and specialized transportation services, including privately and publicly provided services necessary to implement the plan prepared pursuant to Section 12143 © (7) of Title 42 of the United States Code, in meeting the transit demand identified in the above paragraph.
- An analysis of the potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of the identified transit demand.
- The definition adopted by TRPA for the terms "unmet transit needs" and "reasonable to meet" shall be documented by resolution or in the minutes of TRPA. The fact that an identified transit 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.
- If required, adopt by resolution a finding for the jurisdiction, after consideration of all available information compiled. The finding shall be that:
 1. There are no unmet transit needs
 2. There are no unmet transit needs that are reasonable to meet, or
 3. There are unmet transit needs, including needs that are reasonable to meet

The resolution shall include information which provides the basis for the finding.

If TRPA adopts a finding that there are unmet transit needs, including needs that are reasonable to meet, then the unmet transit needs shall be funded before any allocation is made for streets and roads.

If all the transit funds in the Tahoe Region are used for transit operations and capital, then the SSTAC will sponsor informative transit forums on the north shore and south shore to provide transit information and learn about ways to improve public transit in the Tahoe Region.

Appendix D: Memorandum of Understanding

Between TRPA, TTD, and Placer County

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

**TAHOE REGIONAL PLANNING AGENCY ACTING AS THE
TAHOE METROPOLITAN PLANNING ORGANIZATION**

AND

TAHOE TRANSPORTATION DISTRICT

AND

PLACER COUNTY, CALIFORNIA

“Regarding the Coordination of Transit Planning and Programming of Federal Funds in order to Support the Ongoing and Future Public Transit serving the Lake Tahoe Region.”

This Memorandum of Understanding (MOU) is entered into between the **TAHOE REGIONAL PLANNING AGENCY, acting as the TAHOE METROPOLITAN PLANNING ORGANIZATION**, the **TAHOE TRANSPORTATION DISTRICT, and PLACER COUNTY, CALIFORNIA**, hereinafter referred to collectively as the (Parties) and singularly as (Party), as of this 30th day of June 2021.

WITNESSES THAT:

WHEREAS, Tahoe Transportation District (TTD) and Placer County are public transportation operators in the Lake Tahoe Region and are eligible to apply for and receive Federal Transit Administration (FTA) and/or Federal Highways Administration (FHWA) transit funding for capital, operating, and planning assistance for the delivery of public mass transportation; and

WHEREAS, all powers of the TTD are vested in a duly comprised Board of Directors and are empowered to perform all duties of and obligations of the respective transportation district as directed by Article IX of the Tahoe Regional Planning Compact (P.L. 96-551), and all powers of Placer County are vested in a duly comprised Board of Supervisors of elected officials empowered to perform all duties and obligations of Placer County as imposed by State laws; and

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is the Regional Transportation Planning Agency (RTPA) for the counties of Placer and El Dorado within the Lake Tahoe Region as defined in the Tahoe Regional Planning Compact and California Government Code section 32552.1; and

WHEREAS, TRPA acting as the Tahoe Metropolitan Planning Organization (TMPO) is the Metropolitan Planning Organization (MPO) for the Lake Tahoe Region, directed by a duly comprised Governing Board made up of officials identified by the Tahoe Regional Planning Compact (P.L. 96-551); and

WHEREAS, Fixing America's Surface Transportation Act (FAST Act) designates the Lake Tahoe Basin as an urbanized area with a population of 210,000 (145,000 in CA and 65,000 in NV) for applicable Title 49 federal programs pursuant to P.L. 114-94 Section 3003(r)(2)(C).

WHEREAS, the Fixing America's Surface Transportation Act (FAST Act) requires MPOs to work cooperatively with public transit operators to develop Regional Transportation Plans (RTPs) and Federal Transportation Improvement Programs (FTIPs) through performance-based planning and programming for urbanized areas; and

WHEREAS, the Transit Asset Management (TAM) Final Rule 49 U.S. 625 became effective October 1st, 2016 and required transit agencies and MPOs to set performance targets to manage assets; and

WHEREAS, TTD is authorized to own and operate regional transit and transportation facilities that support the regional transportation system as identified in Article IX of the Tahoe Regional Planning Compact (P.L. 96-551); and

WHEREAS, Placer County is authorized by California Government Code Section 26002 to furnish and operate public transportation services, and through an interlocal cooperative agreement with the Washoe Regional Transportation Commission to operate service within the State of Nevada; and

WHEREAS, the Parties hereby enter into this MOU in accordance with Section 23 CFR 450.10(b) in order to specify the procedures for carrying out transit planning and fund programming involving FTA funds; and

WHEREAS, TMPO, TTD, and Placer County, rely upon a cooperative relationship to foster comprehensive regional transit planning which feeds directly into State and Federal planning;

WHEREAS, TMPO has worked cooperatively with the Parties to establish a process and a set of criteria for the selection of transit projects to be included in the FTIP;

WHEREAS, the sub-allocation methodology for funds is shown in Exhibit A, which is incorporated herein;

WHEREAS, the sub-allocation methodology for funds will be maintained by TMPO and may be amended upon mutual agreement between all Parties without modification of this MOU;

NOW, THEREFORE, in consideration of the mutual benefits to the Parties hereto, and in consideration of the covenants and conditions herein contained, the Parties agree as follows:

SECTION 1: Cooperative Relationship

1.1 MOU Purpose and Intent

The purposes of this MOU are to:

- a) Foster a cooperative and mutually beneficial working relationship between the Parties for the provision of comprehensive, effective, and coordinated transit planning between each jurisdiction's public mass transportation system; and
- b) Identify the regional transit planning responsibilities, in coordination with the States of California and Nevada, for programming federal funds within the TMPO FTIP; and
- c) Codify the process and the criteria for selection of transit projects and sub-allocation of federal funds in the Lake Tahoe Region; and
- d) Ensure that federal transit funds are distributed in the Lake Tahoe Region in compliance with federal requirements; and

The intent of this MOU is to:

- a) Support implementation of a performance-based approach to transportation decision-making; and
- b) Foster economies of scale through assistance in the coordination of funding for mutually beneficial capital projects, including shared transit facilities and bus purchase contracts; and
- c) Provide for coordinated planning and foster coordinated services; and
- d) Apply federal transit dollars to implement transit priorities identified in the TMPO Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

1.2 Communication and Agreements

A critical component of coordination involves open and productive communication. TMPO is required to update the FTIP every even-numbered year and the RTP every four (4) years. Responsive communication between the Parties is imperative in order to meet this mandate.

Within the designated Lake Tahoe Region, TTD and Placer County are eligible to apply for FTA and/or FHWA transit funding for capital, operating, and planning assistance for the delivery of public mass transportation under arrangements made through this MOU consistent with FTA and FHWA requirements or MOUs between Parties who will be recipients of federal funds. If new FTA and/or FHWA funding opportunities become available for operators and jurisdictions, new MOUs or amendments to existing MOUs may be needed.

Annual Certifications and Assurances Regarding FTA Grant Programs

By signing this Agreement, each Party certifies to comply with the applicable Annual Certifications and Assurances for FTA Grant Programs, including the Urbanized Area Formula Grants (5307), published annually in the Federal Register, and agree to forward to TMPO a signed copy of the Certifications and Assurances form for each year prior to the time the Party receives its first FTA Urbanized Area Formula Grants (5307), Bus and Bus Facilities (5339), and Enhanced Mobility of Seniors & Individuals with Disabilities (5310) Programs grant award for the year.

FTA Public Involvement Process

To receive a FTA grant, a grant applicant must meet certain public participation requirements in development of the FTA programs. Per FTA Circular 9030.1E, Chapter IV, FTA considers a grantee to have met the public participation requirements associated with the annual development of the Program of Projects (POP) when the grantee follows the public involvement process outlined in the FHWA/FTA planning regulations for the TIP (see MOU Section 3, 3.2).

Transit Asset Management (TAM)

Parties agree to provide updated fleet and asset inventories to TMPO every four years to incorporate TAM targets into the RTP/SCS. Parties will also provide a priority replacement list annually to TMPO using criteria previously agreed upon by all Parties. Criteria includes vehicle age, vehicle mileage, a condition assessment using the Transit Economic Requirements Model (TERM) scale, and vehicle maintenance costs.

National Transit Database (NTD)

The NTD is FTA's primary source for information and statistics collected from transit systems that receive FTA formula funding under the Urbanized Area Formula Program (Sec. 5307 and 5339)

Transit operators receiving funds from these programs are required by statute and FTA guidance to submit annual reports to the National Transit Database. (FTA Circular C 9030.1 E, Section V-2.) Service factors reported in the Urbanized Area determines the amounts of FTA Section 5307, 5339, and 5310 funds generated in the region. TMPO staff will work with the Parties to coordinate reporting of service factors to maximize the amount of funds generated in the region and to determine urbanized area eligibility.

1.3 Responsibilities

The Executive Director of TMPO, the District Manager of TTD, and the Executive Officer of Placer County are the primary individuals responsible for ensuring compliance with the provisions specified in this MOU.

SECTION 2: Transit Planning**2.1 Planning Assistance**

Upon request, or in order to maintain eligibility for federal funds, TMPO will assist in the development of transit planning documents produced by each Party. The type of assistance provided by TMPO will include, but is not limited to, the following:

- a) Assist in securing funds to conduct required planning studies, including transit demand studies, transit development plans, and in-depth analysis of transit ridership;
- b) Obtain and analyze data from various sources to develop demographic, and other useful assumptions for the purpose of transit forecasting and development (e.g., trip generation tables, census information, maps);
- c) Assist in obtaining state and federal funds for projects consistent with the TMPO RTP/SCS and FTIP;

- d) Include projects in the FTIP or Overall Work Program (OWP) through which federal funds can be authorized for expenditure

Parties will provide transit data specified in the Lake Tahoe Region Transit Monitoring Protocol to TMPO through the Lake Tahoe Info (LT Info) transit data portal. TMPO will maintain transit data displayed on the laketahoeinfo.org data portal. A final copy of all transit planning documents, including FTA Triennial Reviews, National Transit Database, and State Controller Reports, as well as the transit asset management plans and associated fleet data, State of Good Repair, and safety plans produced by the Parties, will be forwarded by each Party to TMPO. This will assist TMPO in overall transit planning coordination, as well as ensuring that FTA and FHWA transit funds are used as planned, per FTA and FHWA requirements.

2.2 Regional Planning

TRPA will provide a forum that will foster partnerships and coordination in the development of public transit services throughout the Lake Tahoe Region. As part of TRPA's MPO role, TMPO will continue the comprehensive, cooperative and coordinated transportation planning process in the Lake Tahoe Region. Each Party to this MOU and the relationship of the regional and interregional transit network is critical to the implementation of the regional transportation system called for in the TMPO RTP/SCS.

TRPA will be responsible for the development of regional planning documents that are required as the MPO for the Lake Tahoe Region, such as the RTP/SCS. Each Party will provide technical information during the development of these regional planning documents.

2.3 Long-Range Regional Transportation Plan

In accordance with the planning regulations and FTA and FHWA guidance, the Parties to this MOU will participate in the development of TMPO's Regional Transportation Plan (RTP), referred to as the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS will assess the transportation needs of the region and set forth improvements necessary to address those needs over a minimum twenty (20) year period. TMPO updates its RTP/SCS every four (4) years, consistent with federal and state guidelines.

In order to comply with the planning regulations and federal guidance for the development of the RTP/SCS, the Parties will cooperate in providing the information required to fully comply with the federal requirements. Examples of the type of information required to be provided to TMPO by transit operators include, but are not limited to, the following:

- a) FTA Triennial Reviews, National Transit Database and State Controller Reports;
- b) Data points for key performance measures of existing transit systems as specified in the Lake Tahoe Region Transit Monitoring Protocol;
- c) Transit demand projections;
- d) Transit Asset Management Plan and targets;
- e) Agency Safety Plans and targets;
- f) Anticipated equipment replacement and rehabilitation needs;
- g) Anticipated facility needs;

- h) System improvement strategies with time frames for action;
- i) A financial plan, including expected revenues, planned expenditures, documentation of fiscal ability to operate and expand services and strategies to deal with potential funding support changes; and
- j) Documentation of the public participation process used to develop the local inputs to the RTP/SCS.

To the extent that a current, adopted Short-Range Transit Plan, required by FTA for direct receipt of federal transit funding, includes the foregoing information, then providing TRPA with a copy of a Short-Range Transit Plan will be deemed compliant with the RTP/SCS information submittal requirements.

The RTP/SCS will also incorporate elements of the most current Long-Range Transit Master Plan.

2.4 Long-Range Transit Master Plan

In order to document the long term transit vision for the Lake Tahoe Region that aligns with the timeframe of the RTP/SCS (20+ years), the Long Range Transit Master Plan includes principles and goals for transit in the Region and identifies connections to surrounding areas (Truckee, Reno, Sacramento, Bay Area, etc.). The Long-Range Transit Master plan incorporates Short-Range Transit Plan and medium-term transit investments.

2.5 Short-Range Transit Plans

In response to FTA and FHWA planning regulations and guidance, the Parties will prepare Short-Range Transit Plans (SRTPs) that set out transit planning and programming for a five to seven-year period. These SRTPs will provide input for TMPO's preparation of the Transportation Improvement Program. The SRTPs will address unmet transit needs and service level sustainment, in addition to other agency-specific concerns. Future SRTPs shall contain a list of projects for future FTA and FHWA transit funding. The project list shall:

- a) Identify and describe the scope of the specific projects and services, which address ongoing and increased transit demands. The list shall also address the issues related to unmet transit needs that are reasonable to meet.
- b) Identify the amount and type of federal and non-federal funds required to support the projects for each year represented in the Plan. In addition, the list shall identify anticipated discretionary funding estimates for the FTIP.

TMPO will work cooperatively with the Parties in their efforts to generate information needed to prepare their SRTPs and future updates.

SECTION 3: Programming of Federal Funds

3.1 Federal Funds Sub-Allocation Process

FTA planning guidelines state that using a predetermined split or formula for sub-allocating funds in the Urbanized Area (UZA) is not necessarily consistent with the goals of the Regional planning process. Therefore,

to sub-allocate FTA Urbanized Area Formula Grants (5307), Bus and Bus Facilities (5339), and Enhanced Mobility of Seniors & Individuals with Disabilities (5310) Program funds, TMPO, in cooperation and coordination with the Parties (direct and/or sub-recipients of the Federal formula funds in the Lake Tahoe UZA), developed a regionally-acceptable methodology. This methodology was created through a comprehensive planning process and is documented in Exhibit A of this MOU. Changes to this methodology that are unanimously approved by the Parties will be reflected in future amendments to Exhibit A. If it becomes necessary to add additional parties to this agreement an MOU amendment will be necessary.

3.2 Federal Transportation Improvement Program (FTIP) Programming

The parties agree to use the developed methodology identified in Exhibit A as the basis for making an annual determination regarding the distribution of federal transit funds available for allocation by TMPO within the Lake Tahoe Urbanized Area. The Parties agree that it is desirable to ensure that a stable funding stream is available for all area operators that allow the operators to plan accordingly for providing coordinated services throughout the Lake Tahoe area.

Following the enactment of an annual federal budget and publication of funding apportionments in the Federal Register, TMPO shall inform the Parties of the amounts of the formula and other designated federal funds coming to the Lake Tahoe UZA. TMPO will distribute the sub-apportionments to the Parties with notices of intent to develop or amend the FTIP, and carry out a public involvement and review process for FTIP adoption or amendment according to the Public Participation Plan in compliance with 23 CFR Sections 450.312 and 450.324.

As part of the FTIP process, the sub-apportionments distributed to the Parties for transit projects will be programmed into the FTIP by TMPO. Parties to this agreement that require FTIP programming and subsequent grant approvals for the funds will provide TMPO with sufficient project detail via the Lake Tahoe Transportation Tracker to convey understanding of the projects by all interested agencies and persons, meet FTA grant application requirements, and consistency with FTIP project descriptions. The established FTIP public participation process will satisfy the public participation requirement for the development of the Program of Projects (POP) for FTA programs through the 30-day public review and comment period and the public hearing.

3.3 Applications for Transit Funding

TTD is the designated recipient for federal formula funds allocated under the FAST Act, in the Lake Tahoe UZA. Should this change, the Parties shall meet and confer to determine the appropriate party for this role.

After the completion of the Sub-allocation process, Placer County, as a direct FTA grant recipient, will prepare applications to the FTA or FHWA for federal transit funding. Applicants will notify TMPO that draft applications are ready for review using the FTA TrAMS platform in advance of the FTA or FHWA submittal to confirm accuracy and consistency with FTIP programming requirements and with the local SRTP and TMPO's RTP/SCS, as required by federal guidelines.

All Parties agree to work in good faith to develop consistent programming, documentation, and funding requests in a manner consistent with FTA or FHWA requirements.

SECTION 4: FTIP Project Monitoring & Maintenance

4.1 Progress Reporting

TMPO is responsible for tracking the overall progress of all projects in the FTIP and is required to develop an annual listings of projects for which federal funds were obligated in the preceding program year. The listing shall be published or made available in accordance with the public participation criteria for the FTIP. .

Each Party will assist TMPO's efforts to track the overall progress of transit projects in the FTIP through providing basic access to their FTA TrAMS accounts. At a minimum, milestone/progress reports submitted to FTA shall contain all of the information required in FTA Circular 5010 as amended, for grant administration procedures. If project specific questions are raised by FTA or TMPO that cannot be answered through review of the TrAMS documentation, the affected Party will, upon request, provide TMPO or FTA, as applicable, additional information. Examples of information that may be periodically requested and may include the following:

- a) A classification of the projects by the individual categories, as identified in the FTIP;
- b) A documentation of the stage of project implementation;
- c) An explanation for any project delays if the project is behind schedule;
- d) The reasons for any cost overruns if the project is over budget;
- e) A status update on the amount of federal funding obligated, received, and used to support projects;
- f) Any identified needs for an FTIP amendment; and

4.2 FTIP Amendments

TMPO processes FTIP modifications and amendments periodically. If a Party has changes to an existing project or a request for a new project all requests must be entered into the Lake Tahoe Transportation Tracker by the Party. The Tracker will notify TMPO of the request and TMPO will process it accordingly. FTIP amendments may be needed to address issues such as changes to project funding, cost, scope or schedule delays in project implementation. Amendments may require anywhere from two (2) weeks to three (3) months for approval, depending on the type and complexity of the change.

As a part of the quarterly progress report, or more frequent reporting if required, each Party will notify TMPO regarding the reasons an amendment or other minor modification to the FTIP is needed.

SECTION 5: Additional Terms and Conditions of the MOU

Participation in this MOU is required for the receipt of Federal FTA and/or FHWA funds, specifically the FTA Urbanized Area Formula Grants (5307), Bus and Bus Facilities (5339), and Enhanced Mobility of Seniors & Individuals with Disabilities (5310) Programs.

5.1 MOU Amendments

This MOU may be amended by the written consent of all Parties. Amendments must be approved by TMPO and the respective Board of Directors and Board of Supervisors representing Parties to this MOU, unless such Board has delegated amendment authority to their respective Executive Officer (Executive Director, District Manager, or County Executive Officer).

5.2 MOU Withdrawal; MOU Termination

Any Party, upon ninety (90) days advance written notice to all other Parties, may withdraw its participation in this MOU. Any Party that withdraws from the MOU forfeits its eligibility to receive FTA Urbanized Area Formula Grants (5307) and Bus and Bus Facilities (5339) Programs funds for the Lake Tahoe UZA. Withdrawal by any single Party does not affect the continuing validity of the MOU for the remaining Parties. Should a majority of the Parties withdraw from the MOU, the remaining Parties shall meet and confer to determine how best to continue the purpose and intent of this MOU.

5.3 Notice

Any notice under this MOU shall be in writing and either personally delivered or sent by First Class U.S. Mail, postage pre-paid, addressed as follows:

<u>Tahoe Metropolitan Planning Organization</u> Joanne S. Marchetta Executive Director Tahoe Metropolitan Planning Organization P.O. Box 5310 Stateline, NV 89449	<u>Tahoe Transportation District</u> Carl Hasty District Manager Tahoe Transportation District P.O. Box 499 Zephyr Cove, NV 89448	<u>Placer County</u> Todd Leopold Chief Executive Officer Placer County 175 Fulweiler Avenue Auburn, CA 95603
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5.4 Counterparts

The Parties agree that this MOU may be signed in one or more counterparts, each of which will constitute an original and all of which taken together shall constitute one and the same instrument.

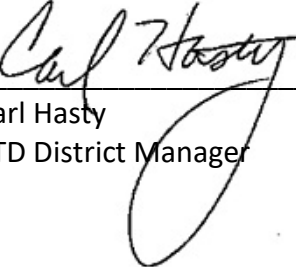
5.5 MOU Authorization

By our signature below, we certify that our respective Boards of Directors have authorized us to enter into this MOU on behalf of our agency.

See next page for signature

Joanne S. Marchetta
TMPO Executive Director

Date



Carl Hasty
TTD District Manager

May 18, 2021
Date

See next page for signature

Todd Leopold
Chief Executive Officer
Placer County

Date

5.5 MOU Authorization

By our signature below, we certify that our respective Boards of Directors have authorized us to enter into this MOU on behalf of our agency.

DocuSigned by:
Joanne Marchetta 7/29/2021
30F8FECE824143C
Joanne S. Marchetta Date
TMPO Executive Director

See previous page for signature

Carl Hasty Date
TTD District Manager

Todd M Leopold
Todd M Leopold (Jun 28, 2021 11:07 PDT) Jun 28, 2021
Todd Leopold Date
Chief Executive Officer
Placer County

Exhibit A

FTA Section 5307, 5339 and 5310 Sub-allocation Methodology

To annually sub-allocate FTA Section 5307 and 5339 funds for the Lake Tahoe Region, TMPO will apply an agreed upon methodology to the official annual allocation published by FTA. The methodology incorporates a base allocation amount in addition to an earned share formula that utilizes dynamic data from the National Transit Database (NTD) reporting platform and TMPO's LT Info transit data portal (Transit Revenue Miles & Ridership) and the United States Decennial Census (Residential population). TMPO will allocate 5307 and 5339 funding annually based on the latest available system-wide transit data from NTD, LT Info, and population data from the US Census.

Beginning with the FFY 2021 FTA apportionments (until otherwise modified by the Parties)

The base allocation includes \$2,000,000 of the total section 5307 share each year, allocated using the population factor. The remaining section 5307 funds are divided using the earned share factors detailed below.

Section 5310 funding will be allocated in its entirety to either TTD or Placer County in alternating years. TTD will receive the allocation for two consecutive years beginning in FY21, then Placer County will receive the allocation for one year in FY23. TMPO will continue to allocate 5310 funding using this pattern, unless a change is mutually agreed to by the Parties.

Section 5307 and 5339 Methodology and Example Fiscal Year 2021 Data

Base Share Factor – Population

Population (US Census)		Source	Population Factor
TTD	36,072	2010 Census	65%
Placer-TART	19,535	2010 Census	35%

Earned Share Factors (Formula)

	Revenue Miles Factor		Population Factor		Ridership Factor		Final %
Operator 1	Operator Total from NTD and LT Info Reports	XX%	Service Area population from US Decennial Census	XX%	Operator Total from NTD and LT Info Reports	XX%	XX%
Operator 2	Operator Total from NTD and LT Info Reports	XX%	Service Area population from US Decennial Census	XX%	Operator Total from NTD and LT Info Reports	XX%	XX%
	Regional Total Miles	100%	Regional Total Population	100%	Regional Total Ridership	100%	100%

Example: Earned Share Factors FY21

	Revenue Miles Factor		Population Factor		Ridership Factor		Final %
TTD	560,449	41%	36,072	65%	338,726	48%	51%
Placer	812,240	59%	19,535	35%	369,314	52%	49%
Total	1,372,689		55,607		708,040		

Section 5307 and 5339**Example: FY21 5307 Allocation: \$2,964,270****Example: FY21 5339 Allocation: \$349,678**

Base + Earned Allocations		
	5307-Base	5307-Earned
TTD	\$1,300,000	\$493,507
Placer	\$700,000	\$470,763
Total	\$2,000,000	\$964,270

Totals by Operator (Earned + Base)				
	5307-Total	5307-Ops (75%)	5307-Cap (25%)	5339
TTD	\$1,793,507	\$1,345,130	\$448,377	\$178,963
Placer	\$1,170,763	\$878,072	\$292,691	\$170,715
Total	\$2,964,270	\$2,223,203	\$741,068	\$349,678

Appendix E: Resolution 2017-14

Farebox Ratio Requirements for Transit Operators

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2017 - 14

A RESOLUTION SETTING THE REQUIRED FAREBOX RECOVERY RATIO FOR TAHOE REGION
TRANSIT OPERATORS AT 15 PERCENT AND GRANTING TRANSIT OPERATORS A FIVE-YEAR
EXTENSION TO REACH THE REQUIRED FAREBOX RECOVERY RATIO AS DEFINED BY THE
TRANSPORTATION DEVELOPMENT ACT

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region, and is responsible for allocating Transportation Development Act (TDA) funds for the Tahoe Region; and

WHEREAS, the Tahoe Region is considered an urbanized area per the Federal Fixing America's Surface Transportation (FAST) Act, but has a population of less than 500,000; and

WHEREAS, the Tahoe Transportation District (TTD) and Placer County - Tahoe Truckee Area Regional Transit (TART) provide fixed route and demand response transit service in the Lake Tahoe Urbanized Area; and

WHEREAS, TTD and TART are currently required by law to maintain a farebox recovery ratio of 20 percent for fixed route services and 10 percent for demand response services to remain eligible for TDA funds; and

WHEREAS, the California Code of Regulations (CCR) Title 21 Section 6645.1 allows the transportation planning agency or county transportation commission to establish a required ratio of fare revenue to operating cost of no less than 15 percent for an operator serving an urbanized area in a county with population less than 500,000; and

WHEREAS, the Public Utilities Code (PUC) Section 99270.2 allows for the RTPA to grant up to a five year exemption to operators serving a newly designated urbanized area, in order to meet the updated ratio of fare revenues to operating costs; and

WHEREAS, TRPA has considered the size and density of the Tahoe Region Urbanized Area which provides services to the general public and the proportion of the operator's ridership, which is transit dependent, including youths, elderly, handicapped, and low-income patrons, and households with no vehicle available; and

WHEREAS, Tahoe Region transit operators aim to provide free-to-the-user transit on all routes as per the 2017 Regional Transportation Plan (RTP), the TTD Short Range Transit Plan (SRTP), and the TART Systems Plan Update; and

WHEREAS, TTD, and TART can include qualifying local and private funds to supplement for fare revenues to meet the recovery ratio in the future.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency sets the required farebox recovery ratio of TTD and TART fixed route services at 15 percent for purposes of the Transportation Development Act; and

BE IT FURTHER RESOLVED that the Governing Board of the Tahoe Regional Planning Agency grants TTD and TART a period of five years (through September 27, 2022) to meet the required farebox recovery ratio of 15 percent; and

BE IT FURTHER RESOLVED that the required farebox recovery ratio for TTD and TART demand response services remain at 10 percent.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on September 27, 2017, by the following vote:

Ayes: Ms. Aldean, Mr. Beyer, Ms. Berkbigher, Mr. Bruce, Mr. Cashman, Ms. Matijevich, Ms. Faustinos, Mr. Lawrence, Ms. McDermid, Ms. Novasel, Mr. Sass, Mr. Sevison, Mr. Shute, Mr. Yeates



James Lawrence, Chair
Tahoe Regional Planning Agency
Governing Board

Appendix F: Glossary – Acronyms and Definitions

ADA	Americans with Disabilities Act Complementary Paratransit Service: The ADA requires that public transportation operators supply complementary paratransit service to disabled customers who are within ¾ miles of a regular transit route but unable to access the route.
Allocation	The process by which the State Controller sets apart moneys in the Account for a regional entity or an action by a regional entity setting apart moneys in its state transit assistance fund for a claimant for a purpose authorized in the TDA and taking effect by resolution.
Apportionment	The proportion of the total annual revenue anticipated to be received in the fund that the population of the area bears to the total population of the county.
CCTT	Community Collaborative of Truckee Tahoe: Social Services Advisory Council meetings are held concurrently with CCTT meetings.
CCR	California Code of Regulations: A subchapter of the TDA intended to interpret, make specific, and implement provisions of the Mills-Alquist-Deddeh Act as contained in the Public Utilities Code.
Claimant	A city, county, consolidated transportation service agency, or operator that is eligible to file a TDA claim.
SCO	State Controller's Office: The State of California Controller.
Demand Responsive	Transit service provided without a fixed-route and without a fixed schedule that operates in response to calls from passengers or their agents to the transit operator or dispatcher. Service is usually provided using cars, vans, or buses with fewer than 25 seats.
EDCTC	El Dorado County Transportation Commission: Involved in the slope split with TRPA and Placer County Transportation Planning Agency.
Fare Revenue	Includes all passenger fares for transit service, special transit fares, and school bus service revenues. May also include cash donations.
Farebox Recovery Ratio	The ratio of fare revenue to eligible operating costs. Calculated by dividing the total system fare revenue by the total system operating expenses.
FAST Act	Fixing America's Surface Transportation Act, a federal transportation bill approved on December 4, 2015.
Fiscal Year	The state fiscal year begins July 1 and ends on June 30.

Operating Cost	All costs in the operating expense object classes exclusive of the costs in the depreciation and amortization expense object class of the uniform system of accounts and records adopted by the Controller pursuant to Section 99243. Excludes all subsidies for commuter rail services operated on railroad lines under the jurisdiction of the Federal Railroad Administration, all direct costs for providing charter services, all vehicle lease costs, and principal and interest payments on capital projects funded with certificates of participation.
Operating cost per passenger	Calculated by dividing the operating cost by the total number of passengers.
Operating cost per vehicle service hour	Calculated by dividing the operating cost by the total vehicle service hours.
Operator	Any transit district, included transit district, municipal operator, included municipal operator, or transit development board.
Passengers per vehicle service hour	Calculated by dividing the total passengers by the total vehicle service hours.
Passengers per vehicle service mile	Calculated by dividing the total passengers by the total vehicle service hours.
PCTPA	Placer County Transportation Planning Agency: Involved in the slope split with TRPA and El Dorado County Transportation Commission.
PIP	Productivity Improvement Program: TRPA's program per PUC section 99244 requiring transportation planning agencies to annually identify, analyze, and recommend potential productivity improvements, which could lower the operating costs of those operators who operate at least 50 percent of their vehicle service miles, as defined in subdivision (i) of section 99247 within the area under its jurisdiction.
PUC	Public Utilities Code: California code which effectively makes up the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act.
RTP	Regional Transportation Plan: The plan adopted every four years by TRPA to establish transportation policies, and by the state to guide development of transportation services and facilities in California.
RTPA	Regional Transportation Planning Agency: A statutorily created agency designated by the Department of Transportation is responsible for the preparation of all federal and state transportation plans and programs that secure transportation funding for highways, local streets and roads, transit, aviation, rail, and bicycle and pedestrian facilities.
RTPE	Regional Transportation Planning Entity: The jurisdiction, as designated by the TDA, responsible for administering TDA funds and subject to a Triennial Performance Audit.

SSTAC	Social Services Technical Advisory Council: An advisory body which serves the Regional Transportation Planning Agencies regarding transit needs of transit dependent and transit disadvantaged persons, including elderly, handicapped, and persons of limited means.
TACCD	Tahoe Area Coordinating Council for the Disabled. SSTAC meetings on the South Shore are held concurrently with TACCD meetings.
TIP	Transportation Improvement Program: A federal and state mandated document that lists a four-year program of transportation projects for federal, state, and local funding.
Total passengers	The number of boarding passengers, whether revenue producing or not, carried by the public transportation system.
TPA	Transportation Planning Agency: An agency responsible for administering the transportation funds available for the area under its jurisdiction.
Transit vehicle	A vehicle, including, but not limited to, one operated on rails or tracks, which is used for public transportation services funded, in whole or in part, under the TDA.
Urbanized Area	Comprises an incorporated place and adjacent densely settled surrounding area that together have a minimum population of 50,000.
Vehicle service hours	The total number of hours that each transit vehicle is in revenue service, including layover time.
Vehicle service miles	The total number of miles that each transit vehicle is in revenue service.
Vehicle service hours per employee	The vehicle service hours divided by the number of employees employed in connection with the public transportation system, based on the assumption that 2,000 person-hours of work in one year constitute one employee. The count of employees also includes those individuals employed by the operator which provide services to the agency of the operator responsible for the operation of the public transportation system even though not employed in that agency.