



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
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AGENDA ITEM 7a
TAC Meeting
February 2, 2017

DATE: January 24, 2017
TO: Technical Advisory Committee (TAC)
FROM: Debbie Egger, Fiscal Administrative Officer
SUBJECT: **HCAOG Transportation Development Act (TDA) Rules Amendment**

STAFF REPORT

Contents:

- Staff's Recommended Action
- Staff Summary
- Amended HCAOG TDA Rules (Draft)

Staff's Recommended Action:

1. Introduce the item as an action item;
2. Allow staff to present the item;
3. Receive public comment;
4. Discuss item and consider making the motion:
"I move that the TAC recommend the HCAOG Board adopt the HCAOG TDA Rules as amended."

Staff Summary:

The Humboldt County Association of Governments (HCAOG), acting in its official capacity as the Regional Transportation Planning Agency (RTPA), has updated the HCAOG TDA Rules (Rules). The Rules clarify roles and responsibilities in administering the Local Transportation Fund (LTF) and the State Transportation Assistance (STA) fund, pursuant to the Transportation Development Act (TDA). These Rules are intended to help HCAOG committees and staff, TDA claimants, transit operators, the County Auditor, and consulting auditors understand and adhere to the TDA. These Rules augment and do not supersede the Guidelines prepared by the California Department of Transportation (Caltrans).

The authority for an RTPA to publish rules and regulations is set forth in the Act, under the California Code of Regulations (CCR) and Public Utilities Code (PUC). Specific authorizing language includes: “The transportation-planning agency shall adopt rules and regulations delineating procedures for the submission of claims under Section 99234 and subdivision (a) of Section 99400 and stating criteria by which they will be analyzed and evaluated” (PUC §99401[a]). Other authorizing sections of the Act are under California Government Code §29532 (b), and PUC sections §99241, §99241.5, and §99261.

One of the major changes to the Rules includes a list of priorities and criteria when allocating the STA funds. During the FY 2016-17 STA cycle, the Service Coordination Committee and the HCAOG Board requested that staff develop funding criteria to include a prioritized list for eligible uses.

The first priority listed in the Rules is keeping a reserve of \$200,000 in order to cover shortages in any particular fiscal year. The STA is allocated based on an estimate provided by the State Controller, however, the total allocation received at the end of the fiscal year could be higher or lower than the approved allocation. During the FY 2015-16 there was a shortage of \$206,266; however, because HCAOG had a reserve, all of the claimants were able to be paid. The Service Coordination Committee has recommended that a total of \$100,000 be taken off of the top starting in FY 2017-18 and the remainder from FY 2018-19.

The following legislation (Section 99314.6) was also taken into consideration in the development of the STA allocation criteria provided on pages 10 and 11:

"funds shall not be allocated for operating purposes pursuant to Sections 99313 and 99314 to an operator unless the operator meets either of the following efficiency standards:

*A) The operator's total operating cost per revenue vehicle hour in the latest year for which audited data are available does not exceed the sum of the preceding year's total operating cost per revenue vehicle hour **and** an amount equal to the product of the percentage change in the Consumer Price Index for the same period multiplied by the preceding year's total operating cost per revenue vehicle hour.*

B) The operator's average total operating cost per revenue vehicle hour in the latest three years for which audited data are available does not exceed the sum of the average of the total operating cost per revenue vehicle hour in the three years preceding the latest year for which audited data are available and an amount equal to the product of the average percentage change in the Consumer Price Index for the same period multiplied by the average total operating cost per revenue vehicle hour in the same three years.

Other changes to the Rules include:

- Clarification of deadlines on submitting STA claims and invoices
- Updates to claim forms

All other amendments to the Rules have been marked as a strikeout or highlighted in color.