

Memorandum

Tab 82

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 28-29, 2017

Reference No.: 4.17 *Replacement Item*
Information

Published Date: June 16, 2017

From: SUSAN BRANSEN
Executive Director

Prepared By: Teresa Favila
Assistant Deputy Director

Subject: **HEARING ON THE 2017 FEDERAL TRANSIT ADMINISTRATION SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES TRANSIT PROGRAM**

SUMMARY:

Under Government Code Section 14055 *et seq.*, the California Transportation Commission (Commission) is responsible for allocating funds for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310 Program), establishing an appeals process and holding at least one public hearing prior to approving the annual program of projects.

On May 31, 2017, the State Review Committee, consisting of representatives from the State Departments of Rehabilitation, Aging, Developmental Services and Transportation, respectively, convened the required staff-level conference to hear two appeals by project applicants. The appealing agencies were required to use documentation from their respective original applications to demonstrate that the project selections were unsupported. The two project applicants were unsuccessful in demonstrating that the Commission's adopted program criteria were incorrectly applied in the application review process. Therefore, the State Review Committee denied the appeals.

Furthermore, the Draft 2017 Statewide Prioritized Small Urban and Rural Areas Project list was presented at the May 2017 Commission meeting. Subsequent to the May 2017 Commission meeting, it was identified that five projects that should have been scored as part of the Small Urban and Rural Areas program were erroneously placed in the Large Urbanized Areas portions of the Section 5310 Program. This change did not have an impact to projects proposed for funding.

BACKGROUND:

The Section 5310 Program was established in 1975 and has been administered by the California Department of Transportation (Caltrans) since its inception. It provides annual grants of federal funds to purchase transit capital equipment to meet the specialized needs of seniors and/or persons with disabilities for whom mass transportation services are unavailable, insufficient, or inappropriate. In 2012, Moving Ahead for Progress in the 21st Century Act (MAP-21) changed the Section 5310 Program and allowed for each Large Urban Area to receive their own apportionment and issue their own call for projects. The Small Urban and Rural Areas continued to receive the statewide apportionment and distribute the funds through the Commission's

process. MAP-21 also expanded Section 5310 Program funding for Mobility Management and Operating Assistance projects. It provided the flexibility to fund Mobility Management through the Section 5310 Traditional Program component. Funding for the Traditional Program cannot be less than 55 percent of the funding available.

Examples of Traditional Section 5310 projects include, but are not limited to, buses and vans; wheelchair lifts, ramps, and securement devices; transit-related information technology systems including scheduling/routing/one-call systems; mobility management programs; and acquisition of transportation services under a contract, lease, or other arrangement. The remaining 45 percent is for other “nontraditional” projects as provided for in the Section 5310 Expanded project component. Under MAP-21, Expanded projects include: travel; training; volunteer driver programs; building an accessible path to a bus stop including curb-cuts, sidewalks, accessible pedestrian signals or other accessible features; improving signage, or way-finding technology; incremental costs of providing same day service or door-to-door service; purchasing vehicles to support new accessible taxi, ride sharing and/or vanpooling programs; and mobility management.

The Section 5310 Program serves a variety of client groups and purposes, ranging from small agencies with specific clientele (e.g., dialysis and AIDS patients) to paratransit providers serving entire communities. Most of the agencies are non-profit organizations while some are public agencies where non-profit organizations are not readily available to provide the specialized service.

In 1996, Assembly Bill (AB) 772 passed assigning the Commission oversight responsibilities for the Section 5310 Program. AB 772 placed three mandates on the Commission regarding the Section 5310 Program: (1) the Commission shall direct Caltrans on how to allocate funds for the Section 5310 Program; (2) the Commission shall establish an appeals process for the Section 5310 Program; and (3) the Commission shall hold at least one public hearing prior to approving its program of projects.

In January of 1997, the Commission approved Section 5310 Program procedures and criteria to score projects. The Commission also established a State Review Committee consisting of representatives from the State Departments of Rehabilitation, Aging, Developmental Services and Transportation, with Commission staff acting in the role of facilitator/coordinator for the purposes of reviewing applications, scores, and hearing appeals.

In accordance with the Commission’s adopted procedures, the Regional Transportation Planning Agencies (RTPAs) or its designated Regional Evaluation Committee scores projects within its jurisdiction utilizing the Commission’s adopted project scoring criteria and forwards a scored project list to Caltrans. The RTPAs must notify its applicants of their project scores and provide information about the appeals process. The State Review Committee re-scores the projects to verify the scores given at the regional level. In instances where there is a sizable difference between regional and State Review Committee project scores, Caltrans contacts the regions and the differences are thoroughly discussed and resolved.

A statewide prioritized list of projects is then created based on the estimated available funds in score order for each Section 5310 Program. In the event that projects programmed are unable to proceed or there are savings, the next project below the 100 percent funding level will be selected for funding.