

SBCTAC STAFF REPORT

SUBJECT: Santa Barbara County Transit Advisory Committee Membership Appointment

MEETING DATE: October 8, 2014

AGENDA ITEM: 4

STAFF CONTACT: Andrew Orfila, Peter Imhof

RECOMMENDATION:

Recommend that the SBCAG Board appoint:

- a. Lee Diaz as an SBCTAC member representative in the Local Social Service Providers for Persons of Limited Means category.
- b. Eustaquio Valdez as the SBCTAC representative for Santa Maria Area Transit (SMAT).

SUMMARY:

The Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99238 et seq. (Attachment 1), requires that each county have a Social Services Transportation Advisory Council (SSTAC). In Santa Barbara County, the Santa Barbara County Transit Advisory Committee (SBCTAC) fills this role. The TDA and the SBCTAC bylaws (Attachment 2) set forth specific requirements with respect to committee membership and term limits. The Transportation Development Act and the SBCTAC Bylaws both specify requirements for appointments and term limits for SBCTAC members:

Transportation Development Act Public Utilities Code Section 99238

- (b) Members of the social services transportation advisory council 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, persons with disabilities, and persons of limited means. In appointing council members, the transportation planning agency shall strive to attain geographic and minority representation among council members. Of the initial appointments to the council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. 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.

SBCTAC Bylaws

2.2 Appointment. *Pursuant to PUC Section 99238(b), members of SBCTAC shall be appointed by the SBCAG Board, which shall recruit candidates for appointment from a broad representation of social service and transit providers representing the elderly, persons with disabilities, and persons of limited means. In appointing council members, the SBCAG Board shall strive to attain geographic and minority representation among council members.*

Upon resignation of a SBCTAC member, the SBCAG Board may appoint a new member to complete the resigning member's term. The individual appointed must represent the same community of interest as did the resigning member.

2.3 Membership Terms. *Of the initial appointments to SBCTAC, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three years.*

As has been discussed at prior meetings, Rick Hummel resigned from SBCTAC earlier this year. He had served on the SBCTAC as the Local Social Services Provider for Persons of Limited Means since 2012. As a result, his position on SBCTAC is now vacant. PUC Section 99238(b) and SBCTAC Bylaws paragraph 2.2 require the SBCAG Board to appoint an individual to fulfill this role.

Staff is requesting SBCTAC consider and recommend that the SBCAG Board appoint Lee Diaz to the SBCTAC as the Local Social Service Provider for Persons of Limited Means representative in compliance with the Transportation Development Act and SBCTAC Bylaws. Lee Diaz is currently a board member of the Central Coast Area Agency on Aging. He has extensive experience dealing with transit issues, as he is a former City of Santa Maria Engineering Division employee (who worked on Santa Maria Area Transit implementation) and Technical Transportation Advisory Committee (TTAC) member.

SMAT has also requested that a new representative, Eustaquio Valdez, be appointed to the SBCTAC to replace Sally Nunes.

Role	Member	Terms	Recommended Member Replacement
Local Social Service Provider for Persons of Limited Means	Rick Hummel	Apr. 2012-Dec. 2012	Lee Diaz
SMAT	Sally Nunes	Oct. 2012-Oct. 2014	Eustaquio Valdez

Attachments:

1. Transportation Development Act – PUC Section 99238
2. Santa Barbara County Transit Advisory Committee Bylaws

No funds from the fund shall be budgeted, allocated, or expended for any project which calls for any change in passenger train stations or loading platforms used by the National Railroad Passenger Corporation, unless the change has been submitted to the National Railroad Passenger Corporation for review and comment, which may include a recommendation for a modification in the change. If the agency submitting the change elects not to accept the recommendation of the National Railroad Passenger Corporation, it shall submit the matter to the director who shall determine whether the disputed recommendation for a modification in the change shall be followed by the agency.

Social Services Transportation Advisory Council

99238

Each transportation planning agency shall provide for the establishment of a social services transportation advisory council for each county, or counties operating under a joint powers agreement, which is not subject to the apportionment restriction established in Section 99232.

(a) The social services transportation advisory council 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 is 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 the disabled, 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).

(b) Members of the social services transportation advisory council 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 disabled, and persons of limited means. In appointing council members, the transportation-planning agency shall strive to attain geographic and minority representation among council members. Of the initial appointments to the council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. 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.

- (c) The social services transportation advisory council shall have the following responsibilities:
- (1) Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the 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.
 - (2) 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.
 - (3) Advise the transportation-planning agency on any other major transit issues, including the coordination and consolidation of specialized transportation services.
- (d) It is the intent of the Legislature that duplicative advisory councils shall not be established where transit advisory councils currently exist and that those existing advisory councils shall, instead, become part of the social services transportation advisory council and shall assume any new responsibilities pursuant to this section.

Citizen Participation Process

99238.5

- (a) The transportation planning agency shall ensure the establishment and implementation of a citizen participation process appropriate for each county, or counties if operating under a joint powers agreement, utilizing the social services transportation advisory council 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 in the jurisdiction represented by the social services transportation advisory council. Hearings shall be scheduled to ensure broad community participation and, if possible, the location of the hearings shall be rotated among the various communities within the advisory council's jurisdiction. 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. The transportation-planning agency 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.
- (b) In addition to public hearings, the transportation-planning agency 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.

Amended by Chapter 877, Statutes of 1998 (AB 2132)

Rules and Regulations of Department



Santa Barbara County Transit Advisory Committee Bylaws

Adopted by SBCAG Board on January 19, 2006, amended April 19, 2012

1.0 PURPOSE

The Santa Barbara Transit Advisory Committee (SBCTAC) will function as the social services transportation advisory council (SSTAC), as specified in the Transportation Development Act (TDA), California Public Utilities Code (PUC) Section 99238(a) et seq., for the Santa Barbara County Association of Governments (SBCAG).

2.0 SBCTAC MEMBERSHIP

2.1 Membership. SBCTAC shall consist of the nine members required by PUC §99238(a), plus nine additional members as follows:

- (1) One representative of potential transit users who is 60 years of age or older.
- (2) One representative of potential transit users who has a disability.
- (3) Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
- (5) Two representatives of local social service providers for persons with disabilities, including one representative of a social service transportation provider, if one exists.
- (7) One representative of a local social service provider for persons of limited means.
- (8) Two representatives from the local consolidated transportation service agency (CTSA), designated pursuant to Government Code Section 15975(a). The two local CTSA representatives shall consist of one member from each of the two existing CTSA's in the County: (a) Easy Lift and (b) the Santa Maria Organization of Transportation Helpers (SMOOTH). The representatives shall be nominated by the CTSA's, subject to Board approval pursuant to Paragraph 2.2.

A representative from each transit agency in Santa Barbara County, who shall be nominated by the agency, subject to Board approval pursuant to Paragraph 2.2:

- (10) County Transit,
 - (11) Guadalupe Transit,
 - (12) City of Lompoc Transit (COLT),
 - (13) Santa Barbara Metropolitan Transit District (SBMTD),
 - (14) Santa Maria Area Transit (SMAT), and
 - (15) Santa Ynez Valley Transit (SYVT).
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- (16) A general transit rider from northern Santa Barbara County.
 - (17) A general transit rider from southern Santa Barbara County.
 - (18) An agricultural worker representative per SBCAG's 2006 Settlement Agreement and Mutual Release in connection with the Santa Barbara Superior Court Case "Pierce, et al. v. Santa Barbara County Association of Governments, et al." regarding the 2004 and 2005 Transit Needs Assessments.

2.2 Appointment. Pursuant to PUC Section 99238(b), members of SBCTAC shall be appointed by the SBCAG Board, which shall recruit candidates for appointment from a broad representation of social service and transit providers representing the elderly, persons with disabilities, and persons of limited means. In appointing council members, the SBCAG Board shall strive to attain geographic and minority representation among council members.

Upon resignation of a SBCTAC member, the SBCAG Board may appoint a new member to complete the resigning member's term. The individual appointed must represent the same community of interest as did the resigning member.

2.3 Membership Terms. Of the initial appointments to SBCTAC, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term.

2.4 Attendance. Given the importance of continuity of participation, members who miss three meetings during the course of a year will be considered for replacement.

3.0 OFFICERS

Officers of the SBCTAC will consist of a chair and vice chair.

3.1 Elections. During the December meeting of each year, the SBCTAC shall elect a chair and vice chair for the subsequent year. In the event that the December meeting

is cancelled, the election shall be held during the first meeting of the following year. Upon resignation of an officer, a special election shall be held.

3.2 Duties.

A. Chair: The chair will preside over all SBCTAC meetings. The chair may appoint committees, sign correspondence, approve agendas, conduct elections, and delegate his/her responsibility to sign correspondence. The chair or his/her designee shall report to the SBCAG Board on recommendations of the SBCTAC.

B. Vice Chair: In absence of the chair, the vice chair shall assume all powers and duties of the chair.

In the event both officers are absent, a majority of the members present may appoint a presiding officer for that meeting.

4.0 ORGANIZATION AND PROCEDURES

4.1 Meetings. At the first meeting of each calendar year, SBCTAC shall adopt a schedule of regular meetings, including the time, date and location. The meetings are to be open and public in compliance with the Ralph M. Brown Act (Government Code §54950 et seq.). The meetings shall be conducted in accordance with the principles of Robert's Rules of Order.

4.2 Discussion. Discussion on any particular matter may be limited, at the discretion of the chair, to such length of time as the chair may deem reasonable under the circumstances. Comments during the public comment portion of the agenda shall be limited to fifteen minutes, divided among those desiring to speak, with no person speaking longer than five minutes.

4.3 Quorum. A majority of SBCTAC members shall constitute a quorum for the transaction of SBCTAC business. A majority of a quorum may take action on any item on the agenda for the meeting, except as otherwise provided herein.

4.4 Voting. Voting on all matters shall be done by a voice vote. A roll call vote will be taken upon the request of a member. Only members are eligible to vote.

4.5 Minutes. Official minutes recording the comments of members and the public, motions entertained, and actions taken shall be prepared by SBCAG staff and submitted to the members at the next scheduled meeting.

4.6 Bylaws. The information set forth in these bylaws shall be deemed sufficient to serve as the bylaws for SBCTAC. These bylaws may be amended by recommendation by SBCTAC and a majority vote of the SBCAG Board.

4.7 Staff Assistance. SBCAG staff will designate a staff liaison to SBCTAC. Staff assistance shall consist of providing information and general assistance, and preparing meeting agendas, minutes, correspondence, and reports. SBCAG staff are not members of SBCTAC and cannot vote.

5.0 RESPONSIBILITIES

5.1 Transit Needs. Per PUC Section 99238(c), SBCTAC has the following SSTAC responsibilities:

- (1) Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within SBCTAC's jurisdiction and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
- (2) Annually review and recommend action by SBCAG for the area within SBCTAC's jurisdiction, 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.
- (3) Advise SBCAG on any other major transit issues, including the coordination and consolidation of specialized transportation services.

5.2 Citizen Participation Process. Per PUC Section 99238.5(a), SBCAG shall ensure the establishment and implementation of a citizen participation process appropriate for each county, or counties if operating under a joint powers agreement, utilizing SBCTAC as a mechanism to solicit the input of transit-dependent and transit-disadvantaged persons, including the elderly, persons with disabilities, and persons of limited means. The process shall include provisions for at least one public hearing in the jurisdiction represented by SBCTAC. Hearings shall be scheduled to ensure broad community participation and, if possible, the location of the hearings shall be rotated among the various communities within SBCTAC's jurisdiction. 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. SBCAG 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.

Per PUC Section 99238.5(b), in addition to public hearings, SBCAG 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.

5.3 Advising. SBCTAC shall serve primarily in an advisory capacity to the SBCAG Board. Nothing in this section shall authorize the SBCTAC to contract for services, modify contracts, bind SBCAG in any way, or take any action that is the statutory duty of the SBCAG Board of Directors. Any such action by the SBCTAC is subject to review by the full Board of Directors at any time.