



STAFF REPORT

MEETING DATE:	June 19, 2018
SUBJECT:	Authorize MOU Between SRTA, RABA, and County of Shasta for Coordination of Transit Planning and Programming of State and Federal Funds
AGENDA ITEM:	5-8
STAFF CONTACT:	Julie McFall, Associate Transportation Planner

STAFF RECOMMENDATION:

It is recommended that the board of directors authorize the Executive Director to:

1. Enter into a Memorandum of Understanding (MOU) between SRTA, the Redding Area Bus Authority (RABA), and the county of Shasta for the coordination of transit planning and programming of state and federal funds;
2. Make administrative edits to the MOU in response to comments from the Federal Transit Administration (FTA) and as a result of partner agency approvals; and
3. Incorporate into the MOU FTA-required Transit Asset Management (TAM) performance measures (anticipated to be completed in October 2018).

DISCUSSION:

The Fixing America's Surface Transportation Act, or "FAST Act", requires MPOs to work cooperatively with public transit operators to implement performance-based planning and programming for urbanized areas. The attached MOU between SRTA, RABA, and the county of Shasta defines roles, responsibilities, and processes for carrying out transportation planning and fund programming.

ALTERNATIVES:

The board of directors may direct staff to seek additional revisions in consultation with RABA and the county of Shasta.

OTHER AGENCY INVOLVEMENT:

Both RABA and county staff have reviewed the MOU and will be recommending approval to their respective governing body in June. FTA has requested approval by each MOU party by June 30, 2018.

RABA and the county of Shasta are currently in the process of defining TAM performance measures that will be included in the attached MOU following completion.

///The Technical Advisory Committee (TAC) recommends approval.///

FISCAL IMPACT:

There is no fiscal impact associated with this action; however, SRTA's ability to receive federal and state transportation planning and programming funds through FTA may be impacted without a valid MOU in place.

Daniel S. Little, AICP, Executive Director

Attachments:

MOU Between SRTA, RABA, and County of Shasta for Coordination of Transit Planning and Programming of State and Federal Funds

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
SHASTA REGIONAL TRANSPORTATION AGENCY
REDDING AREA BUS AUTHORITY
SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS**

**FOR THE PURPOSE OF COORDINATION OF ONGOING TRANSIT PLANNING AND
PROGRAMMING OF STATE/FEDERAL FUNDS THAT SUPPORT
THE ONGOING AND FUTURE DEVELOPMENT OF TRANSIT SERVICES
IN THE REDDING URBANIZED AREA AND THE SHASTA REGION**

This Memorandum of Understanding (MOU) is entered into between the **SHASTA REGIONAL TRANSPORTATION AGENCY**, hereinafter, referred to as SRTA, the **REDDING AREA BUS AUTHORITY**, hereinafter referred to as RABA, and the **SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS**, hereinafter referred to as County. SRTA, RABA, and County are hereinafter referred to collectively as the Parties, effective the last date of signature on the final page.

WITNESS THAT:

WHEREAS, RABA and County are public transportation operators that provide services in the Redding urbanized area and Shasta region, and are eligible to apply for and receive State, Federal Transit Administration (FTA) and/or Federal Highway Administration (FHWA) transit funding for capital, operating and planning assistance for the delivery of public mass transportation; and

WHEREAS, SRTA is the Regional Transportation Planning Agency and the Metropolitan Planning Organization (MPO) for the Shasta Region, directed by a duly comprised board of directors of elected officials responsible for carrying out federal guidelines, regulations, and statutes for planning and coordination; and

WHEREAS, the Fixing America's Surface Transportation Act, or "FAST Act", requires MPOs to work cooperatively with public transit operators to develop Regional Transportation Plans (RTPs) and Federal Transportation Improvement Programs (FTIPs) for areas within the MPO, which are intended to further the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems to serve the mobility of people and freight and foster economic growth, as well as development within and throughout the MPO area—while minimizing transportation-related fuel consumption and air pollution; and

WHEREAS, the FAST Act also requires MPOs to work cooperatively with public transit operators to implement performance-based planning and programming for areas within the MPO, which are intended to improve the safety of the nation's public transportation systems, ensure that those systems are in a state of good repair, and provide increased transparency into agencies' budgetary decision-making processes; and

WHEREAS, FTA 23 CFR Section 450.310, requires either an MOU or an overall (unified) planning work program between the MPO and all local authorities and transit operators receiving FTA funds to specify the procedures for carrying out transportation planning and fund programming; and

WHEREAS, FTA 23 CFR Section 450.314(h) requires the MPO(s), State(s), and the providers of public transportation to jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO ([§ 450.306\(d\)](#)), and the collection of data for the State asset management plans for the National Highway System (NHS); and

WHEREAS, Parties will work cooperatively to establish a process and a set of guiding principles for the selection of transit projects to be included in the FTIP.

NOW, THEREFORE, in consideration of the mutual benefits to the transit operators and jurisdictions hereto, and in consideration of the covenants and conditions herein contained, Parties enter into the MOU:

SECTION 1: Cooperative Relationship

1.1 MOU Purpose and Intent

The purpose of this MOU is to:

- a) Set forth the basic structure for cooperative planning and decision making regarding transit planning and programming between Parties;
- b) Foster a cooperative and mutually beneficial working relationship for the provision of comprehensive, effective, and coordinated transit planning on behalf of the region's public mass transportation system;
- c) Identify the regional transit planning responsibilities, in coordination with the State of California, for programming federal funds within the SRTA FTIP;
- d) Codify the process for selection of transit projects and locally-acceptable methodology for federal funds in the Redding Urbanized Area (UZA) and Shasta region; and

- e) Ensure that federal transit funds are distributed in the Redding UZA and Shasta region in compliance with federal requirements.

The intent of this MOU is to:

- a) Articulate a transparent process for funding of transit projects with federal and state dollars in full accordance with federal and state regulations;
- b) Support implementation of a performance-based approach to transportation decision making;
- c) Foster economies of scale through assistance in the coordination of funding mutually beneficial capital projects, including shared transit facilities and bus purchase contracts;
- d) Provide for coordinated planning and foster coordinated services; and
- e) Utilize federal transit dollars to implement transit priorities identified in the SRTA's RTP/Sustainable Communities Strategy (SCS), RABA's Short Range Transit Plan (SRTP), and the Shasta County General Plan (if appropriate).

1.2 Social Services Transportation Advisory Committee Input

The Social Services Transportation Advisory Committee (SSTAC) is comprised of citizens and staff from various agencies and interests. RABA/County shall provide a staff liaison to the SSTAC. The committee's purpose is to advise the SRTA Board of Directors on issues relating to transit and to monitor and promote improvements to public transportation services for people traditionally under-represented and underserved.

1.3 Communication and Agreements

A critical component of coordination involves open and productive communication. SRTA 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 UZA and Shasta region, transit operators that meet the applicable federal requirements 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 agreements made through an MOU between Parties consistent with FTA and FHWA requirements.

Annual Certification and Assurances Regarding FTA Grant Programs

By signing this agreement, RABA/County certifies to comply with the applicable Annual Certifications and Assurances for FTA Grant Programs, including the Urbanized Area Formula Program (Sections 5307 and 5339) or Rural Formula Program (Section 5311), published annually in the Federal Register. RABA/County shall provide a signed copy of the Annual Certifications

and Assurances in FTA's Transit Award Management System (TrAMS) and make it accessible to SRTA.

Public Involvement

The federal regulations for metropolitan planning under the FAST Act are incorporated within SRTA's adopted Participation and Partnership Plan (Title VI). Federal law requires that the MPO work cooperatively with the state department of transportation and the regional transit operators to provide citizens, affected public agencies, users of public transit, federal land management agencies, and other interested transit operators and jurisdictions a reasonable opportunity to comment on proposed transportation plans and programs.

To receive an FTA grant, a grant applicant must meet certain public participation requirements in development of FTA programs. Per FTA Circular 9030.1E, Chapter V, 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 FTIP (see MOU Section 3.2). SRTA publishes a POP for FTIP actions involving FTA formula funds.

All SRTA public involvement efforts are consistent with Title VI of the Civil Rights Act and the Executive Order on Environmental Justice.

National Transit Database (NTD)

The NTD is the primary source for information and statistics on financial, operating and asset conditions of America's transit systems. Transit operators that receive FTA formula funding under the Urbanized Area Formula Program (Sections 5307 and 5339) or Rural Formula Program (Section 5311) are required to report information to the NTD annually.

RABA/County is required by statute and FTA guidance (FTA Circular C 9030.1 E Section VI-9) to provide a complete report to NTD of all transit operations. Financial information reported to the NTD must be reported in accordance with the Uniform System of Accounts.

1.4 Responsibilities

The Executive Director of SRTA, the Executive Officer of RABA, and the Director of County are the primary individuals responsible for ensuring compliance with the provisions specified in this MOU.

SECTION 2: Transit Planning

2.1 SRTA Planning Assistance

Upon request, or in order to maintain eligibility for federal funds, SRTA will assist in the development of transit planning documents produced by RABA/County. The type of assistance provided by SRTA will include, but not be limited to, the following:

- a) Obtain and analyze data from various sources to develop demographic, growth, and other useful assumptions for the purpose of transit development (e.g. trip generation tables, census information, maps);
- b) Assist in obtaining state and federal funds for projects consistent with SRTA's RTP/SCS, SRTA's FTIP (e.g. completing paperwork, facilitating FTIP/RTP amendments), RABA's SRTP, and County's General Plan (as appropriate);
- c) Provide a program and include projects in the FTIP/RTP or Overall Work Program (OWP) through which federal funds can be authorized for expenditure; and
- d) Support RABA/County to ensure compliance with FAST Act mandates.

2.2 RABA/County Planning Assistance

A final copy of all transit planning documents, including FTA Triennial Audits, NTD, and State Controller Reports, as well as transit asset management plans, State of Good Repair, and safety plans produced by RABA/County, will be provided to SRTA. This will assist SRTA in overall transit planning coordination as well as ensuring that FTA and FHWA transit funds are used in accordance with FTA and FHWA requirements.

2.3 Regional Planning (Regional Transit Coordination)

SRTA will provide a forum to foster partnerships and coordination in the development of public transit services throughout the Shasta region. Such services may include fare, transfer and pass policies, transit information, marketing, schedules, service coordination, data needed to meet periodic reporting requirements, and other required activities.

As part of its MPO role, SRTA will continue to ensure a continuing, cooperative and coordinated transportation planning process for the Shasta region. RABA/County's relationship to the regional and interregional transit network, is critical to the implementation of SRTA's RTP/SCS.

As the MPO, SRTA will also be responsible for the development of required regional planning documents for the Shasta region, such as the RTP/SCS. RABA/County will provide technical information during the development of these regional planning documents through the SRTA committee, and ad hoc committee, as applicable, structure.

2.4 Long Range Regional Transportation Plan

SRTA agrees to prepare, adopt and maintain as required, a long-range RTP. In accordance with the planning regulations and FTA and FHWA guidance, RABA/County will participate in the development of SRTA's 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. SRTA 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, RABA/County will cooperate in providing information required to complete the RTP. Examples of the type of information required to be provided to SRTA by RABA/County include but is not limited to, the following:

- a) FTA Triennial Reviews;
- b) NTD and State Controller Reports;
- c) An overview of key performance measures of existing transit systems;
- d) Transit demand projections;
- e) Anticipated fleet replacement and expansion needs (e.g. Transit Asset Management Plan, Transit Asset Management Targets and 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; and
- 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.
- j) Documentation of the public participation process used to develop the local inputs to the RTP/SCS.

2.5 Short-Range Transit Plan

In response to FTA and FHWA planning regulations and guidance, RABA/County will prepare SRTPs that set out transit planning and programming for the short-term (anticipated to be a ten-year period). If all projects in the SRTP have been completed, the SRTP will be updated every five years. These SRTPs will provide input for SRTA'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.

SRTPs shall contain a list of projects for future FTA and FHWA transit funding, if applicable. The project list shall:

- a) Identify and describe the scope of the specific projects and services, which address ongoing and increased transit demands. These projects and services shall address short-term challenges and provide analysis of RABA/County's financial resources. The list shall also address the issues related to unmet needs that are reasonable to meet; and
- 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 future FTIP and RTP.

Parties will work cooperatively in their effort to generate information needed to prepare SRTPs and future updates.

2.6 Air Quality

Shasta County is in attainment with respect to the Federal air quality standards. As such, the Shasta region is not subject to air quality conformity analyses and conformity determination findings for its FTIP and RTP/SCS.

2.7 Overall Work Program (OWP)

The OWP is a management tool and is developed to address the core planning functions, tasks, and products that SRTA will undertake to deliver each fiscal year. SRTA develops its annual work program in consultation with interested transit operators and local government agencies. Through a collaborative process with federal, state and local agencies, SRTA also seeks input on the OWP from the public on key issues facing the Shasta region.

Planning for the OWP is a continuous process. Each year, the draft OWP is provided to local, state and federal agencies for review. The draft OWP is presented to the SRTA Board of Directors typically in February and, upon approval, is sent to Caltrans and FHWA/FTA for review. The OWP is also posted on SRTA's website for public review. SRTA then responds to the comments received and the SRTA Board of Directors adopts the Final OWP, typically at its April Board of Directors meeting.

The Parties will coordinate during the preparation of each annual OWP on upcoming transit planning and programming activities. This includes the preparation of projects to be included in the OWP, which shall include, at a minimum, the following: project tasks, entities responsible for carrying out project tasks, project schedule, and a project budget, including estimated revenues by fund source and expenditures.

2.8 Performance Measures

Passage of the Moving Ahead for Progress in the Twenty-first Century Act (MAP-21) required FTA to develop a set of transit asset management performance measures and targets. FTA

established a minimum set of standards that must be followed by all transit agencies that report to the NTD, per 49 USC 625. RABA/County shall comply with 49 USC 625, as amended, including the following activities:

- a. Development of a Transit Asset Management (TAM) Plan by October 1, 2018, that includes, at minimum, the following:
 - a. An inventory of assets;
 - b. A condition assessment of inventoried assets;
 - c. Description of a decision support tool; and
 - d. A prioritized list of investments.
- b. Updating the TAM Plan every four years;
- c. Set annual performance targets for each asset class included in the TAM Plan and report them to the NTD; and
- d. Provide final copies of each TAM plan and annual performance measure targets to SRTA for incorporation in SRTA's TIP/RTP.

It is assumed that the Parties will meet annually to discuss upcoming transit performance measure target setting, and that the Parties will meet every four years to discuss upcoming updates to the transit asset management plan, including any new rules, regulations or requirements set forth by federal and/or state agencies.

SECTION 3: Programming of Federal Funds

3.1 Federal Funds Locally-Accepted Methodology

FTA planning guidelines state that using a predetermined split of formula or programming funds in the UZA and Shasta region is not consistent with the goals of the metropolitan planning process. However, if there were to be more than one transit operator in the UZA, to sub-allocate FTA UZA Formula Grants (5307) and Bus and Bus Facilities (5339) Program funds SRTA, in cooperation and coordination with RABA/County, will develop a locally-acceptable methodology for the programming of Federal formula funds. This methodology will be revisited periodically through a comprehensive planning process and will include collaboration with all transit stakeholders in the UZA and Shasta region.

Notices of intent, publication of proposed projects, and public involvement and review shall be used to fulfill the public hearing requirements of 49 USC Section 5307, covering review and approval of FTA grant applications for FTIP/RTP projects.

3.2 Federal Transportation Improvement Program and Regional Transportation Plan Programming

RABA/County agree to use the locally-acceptable methodology developed in accordance with Section 3.1 of this MOU and the RABA SRTP for making programming decisions for applicable federal formula funds available for allocation within the UZA and Shasta region.

As part of the FTIP/RTP process, projects are programmed in the FTIP/RTP on behalf of all transit providers receiving federal funds. Following direct consultation with RABA/County, as well as all transit operators and member agencies, SRTA distributes notices of intent to develop or amend the FTIP/RTP, publishes the proposed program of projects to be adopted if the projects include FTA formula funds, and carries out a public involvement and review process for FTIP adoption or amendment, in compliance with 23 CFR 450.312 and 450.324, and SRTA's Participation and Partnership Plan (Title VI). Any transit operator or member agency seeking FTIP/RTP programming and subsequent grant approvals will provide SRTA with sufficient project detail to convey understanding of the projects by all interested agencies and persons, meet FTA grant application requirements, and provide a clear linkage to FTIP/RTP project descriptions.

SRTA, RABA/County and all other transit operators affected by the UZA and Shasta region funding, shall annually consult to use the locally-developed process and recommended a prioritized list of projects for the allocation of federal funds that may be available for distribution from FTA and FHWA.

3.3 Applications for Transit Funding (FTA Grant Administration)

As the MPO, SRTA is responsible for programming federal formula funds allocated under FTA and identifying these funds in the FTIP. Participation in this MOU is required for the receipt of Federal FTA and/or FHWA funds, specifically the Urbanized Area Formula Program (Sections 5307 and 5339) or Rural Formula Program (Section 5311).

After completion of the locally-developed methodology, RABA/County will prepare applications to the FTA or FHWA for federal transit funding. Applications will be submitted to SRTA using the FTA TrAMS or another mutually agreed upon method. RABA will request application review by SRTA in advance of the FTA or FHWA grant execution to confirm accuracy and consistency with FTIP/RTP programming requirements and with the local SRTP and SRTA'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

SRTA is responsible for tracking the overall progress of all projects in the FTIP/RTP and is required to produce an annual list of projects for which federal funds have been obligated in the preceding year, as well as ensure that it is made available for public review.

RABA/County will assist SRTA's efforts to track the overall progress of transit projects in the FTIP/RTP by providing basic access to the FTA TrAMS accounts. At a minimum, milestones/progress reports submitted to FTA and reviewed by SRTA shall contain all the information required in FTA Circular 5010.1D, as amended, for grant administration procedures. If specific questions are raised by FTA or SRTA that cannot be answered through review of the TrAMS documentation, RABA/County will, upon request, provide SRTA additional information. Examples of information that may be periodically requested may include the following:

- a) A classification of the projects by the individual categories, as identified in the FTIP/RTP;
- 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/RTP amendment; and
- g) Project savings to be reverted, if any, at project completion.

4.2 FTIP/RTP Amendments

SRTA processes FTIP/RTP modifications and amendments periodically. Amendments may be needed to address issues such as funding shortfalls, delays in project implementation, and/or new projects, or new project funding, that need to be included in the FTIP/RTP.

RABA/County are responsible for notifying SRTA if there is a need to amend the FTIP/RTP. Formal amendments may typically require up to two months for processing and federal approval. SRTA processes FTIP/RTP amendments on an as-needed basis. For amendments, RABA/County shall make a formal request to SRTA for changes in project cost, scope, or schedule, and certain minor adjustments. Administrative modifications require the same written notification, but typically only require a few weeks for processing and approval.

SECTION 5: Additional Terms and Conditions of the MOU

5.1 MOU Amendments

This MOU may be amended by written consent of both Parties. Amendments must be approved by the SRTA and RABA Boards of Directors and County Board of Supervisors, unless such Boards have delegated authority to their respective Executive Director, Chief Executive Officer, or Director.

5.2 MOU Withdrawal; MOU Termination

Participation in the MOU may be terminated by either party hereto provided that the terminating party provides notice to the other party at least ninety (90) days prior to the date of termination. Termination or withdrawal by any party will result in the halt of certain activities which, in turn, may affect the selecting, funding, and grant application of state- and federally-funded transit projects. Termination or withdrawal does not relieve RABA/County from meeting or complying with state and federal mandates. Furthermore, a termination or withdrawal means that all Parties who are signatory to the MOU will need to meet and confer. All Parties must determine how best to continue the purpose and intent of the MOU and confer and discuss how to implement a replacement MOU.

5.3 Notice

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

SRTA

Daniel S. Little
Executive Director
Shasta Regional Transportation Agency
1255 East Street, Suite 202
Redding, CA 96001

RABA

Chuck Aukland
Public Works Director
City of Redding
777 Cypress Avenue
Redding, CA 96001

Shasta County Department of Public Works

Patrick J. Minturn
Director

Shasta County Department of Public Works
1855 Placer Street
Redding, CA 96001

5.4 MOU Authorization

By our signature below, we certify that the respective Board of Directors have authorized entering into this Memorandum of Understanding on behalf of each agency, effective the last date of signature to this document.

Norma Cornick, Chair
Redding Area Bus Authority (RABA)

Date: _____

Susie Baugh, Chair
Shasta Regional Transportation Agency
(SRTA)

Date: _____

Les Baugh, Chair
Shasta County Department of Public Works

Date: _____

Approved as to Form:

John Kenny
SRTA Legal Counsel