

**Board Report**

File #: 2018-0478, **File Type:** Program**Agenda Number:** 17.

**PLANNING AND PROGRAMMING COMMITTEE
SEPTEMBER 19, 2018****SUBJECT: PROGRAMMING FOR FEDERALLY MANDATED PARATRANSIT SERVICES****ACTION: APPROVE RECOMMENDATIONS****RECOMMENDATION**

CONSIDER:

- A. APPROVING the programming of \$281.5 million in federal Surface Transportation Block Grant Program (STBGP) funds for Access Services as shown in Attachment A for Fiscal Years (FY) 2020 through FY 2023; and
- B. AUTHORIZING the Chief Executive Officer to negotiate and execute funding agreements between Metro and Access Services.

ISSUE

Access Services provides complementary paratransit service required by the Americans with Disabilities Act (ADA) on behalf of Metro and 44 other fixed-route operators in Los Angeles County. Metro supplements the local funds it provides to Access Services with federal funds. However, Metro does not include federal funds for paratransit services in its annual budget. The Board must approve the programming of STBGP funds in the Federal Transportation Improvement Program (FTIP) so that Access Services can apply for and receive the funds directly from the Federal Transit Administration (FTA). Attachment A identifies the annual amounts of federal STBGP funds recommended for programming for Access Services during FY 2020 to FY 2023.

BACKGROUND

ADA paratransit service is a federally mandated civil right for persons with disabilities who cannot ride public fixed-route buses and trains within $\frac{3}{4}$ of a mile of the fixed-route service. Metro's programming of federal funds for ADA paratransit service began in FY 1998 with the transfer of Surface Transportation Program (STP) funds from the Federal Highway Administration (FHWA) to FTA's Section 5310 Program. Metro has continued this process through the last four federal reauthorization acts. The Fixing America's Surface Transportation (FAST) Act, which was signed into law in December 2015, changed the program's name from STP to STBGP and continued to allow the

transfer of funds to FTA's Section 5310 Program to support ADA paratransit services. The Metro Board last approved the programming of STBGP funds in September 2014 for FY 2016 through FY 2019. Of the total of \$255.9 million in STBGP funding that was programmed during this four-year period, an amount of \$66 million was included in the FY 2019 budget for Access Services that the Board approved in June 2018.

All federally funded projects in Los Angeles County must be included in the FTIP, a six-year document that is managed by the Southern California Association of Governments (SCAG) in coordination with Metro. Projects programmed in the FTIP, including those for Access Services, meet specific requirements for scheduling, financing, and timely implementation of transportation control measure to help reduce air pollution in the region. In addition, federal grants, such as STBGP funds, are only approved for use by federal transportation agencies on projects after the programming of those federal funds has been included in the FTIP and approved by SCAG, FTA, and FHWA.

DISCUSSION

The Metro Board annually adopts a budget for Access Services which includes the use of both local and federal funds to meet the projected paratransit needs of Metro and 44 other fixed-route operators in Los Angeles County over the following fiscal year. While local funds are included directly in Metro's annual budget, the Board separately approves the programming of federal funds in the FTIP so that Access Services can apply for and receive the funds directly from the FTA. This programming of federal funds is done on a multi-year basis to most effectively manage the FTIP and federal grant approval processes.

The annual budgeting for Access Services is established based on recent history of expenditures and paratransit ridership projections provided by Access Services. Access Service's paratransit demand analysis uses economic factors, historical data and other variables to forecast ridership. The programming of STBGP funds supports addressing the needs identified in recent financial assessments and budget forecasts done for Access Services. The recommended actions also help implement Metro's statutory transportation programming responsibilities for Los Angeles County and allow for continued operations of Access Services to provide ADA paratransit services. The recommended actions also support achieving goals set in Metro's 2009 Long Range Transportation Plan (LRTP), 2014 Short Range Transportation Plan (SRTP), and Vision 2028 Strategic Plan. The recommendation also supports the guiding theme of the LRTP Update to enable mobility and access and promote equity.

DETERMINATION OF SAFETY IMPACT

Approval of the recommendation will not have a negative impact on the safety of Metro's customers, its employees, or the general public. The recommendation supports the provision of paratransit service required by the ADA to safely transport customers that require specialized mobility services within the applicable service areas of Metro and 44 other fixed-route operators in Los Angeles County.

FINANCIAL IMPACT

The recommended actions are consistent with Metro's planned use of federal STBGP funds for Access Services over the next four years. Approving the recommendation will also support Metro's ability to meet ADA requirements and maintain eligibility for the use of federal funding on other project commitments identified in the 2009 LRTP, 2014 SRTP, and Measure M program.

As Metro is responsible to include in its budget any funds required to provide paratransit services mandated by the ADA that are not met with the programming of STBGP funds, the amount of STBGP funding programmed for Access Services would have an impact on the demand for local funds in future Metro budgets. These other local funds are primarily Proposition C 40% that can be used for both Metro capital and operations.

Impact to Budget

The recommended actions do not have any impact on the FY 2019 Budget.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions support achieving Goal 3 of Metro's Vision 2028 Strategic Plan to enhance communities and lives through mobility and access to opportunity. It also supports Metro's commitment to make Los Angeles County's transportation system more accessible, inclusive, and responsive to the needs of the diverse communities it serves.

ALTERNATIVES CONSIDERED

Not fully programming STBGP funds for Access Services to provide mandated paratransit service during FY2020 - FY 2023 would place Metro and the other 44 Los Angeles County fixed-route operators in violation of the ADA. This would impact the ability of Metro and other fixed-route transit operators to receive federal grants.

The Board may elect to defer all or a part of the recommended programming of federal STBGP funding to Access Services. We do not recommend deferral of the federal funding for Access Services, as the paratransit service that it provides is required by the ADA. If STBGP funds are not programmed, Metro would have to identify other eligible funding to ensure continued paratransit service.

NEXT STEPS

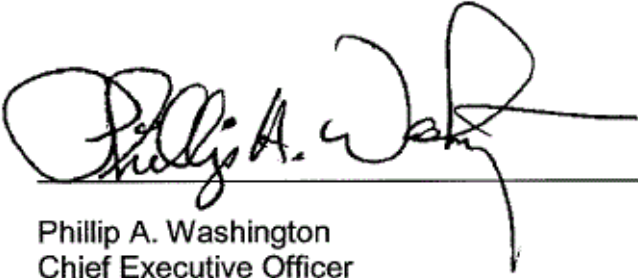
Upon Board approval, Access Services will program the STBGP funds in the FTIP. Metro staff will review and approve the programming of the funds in consultation with the Southern California Association of Governments.

ATTACHMENTS

Attachment A - Funding Programming for Access Services (FY 2020 - FY 2023)

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