

LASSEN COUNTY TRANSPORTATION COMMISSION  
REGIONAL TRANSPORTATION PLANNING AGENCY



John L. Clerici, Executive Secretary

Office:  
555 Capitol Mall, Suite 600  
Sacramento, CA 95814

P.O. Box 1028  
Susanville, CA 96130

Date Posted: December 8, 2022

To: THE LASSEN COUNTY TRANSPORTATION COMMISSION:

Russ Brown, (City Council)  
Quincy McCourt (City Council)  
Kevin Stafford (City Council)

Tom Hammond (Co. Supervisor)  
Jeff Hemphill (Co. Supervisor)  
Aaron Albaugh, Vice-chair (Co. Supervisor)

Subject: **REGULAR MEETING**

of the

**LASSEN COUNTY TRANSPORTATION COMMISSION**

A meeting of the Lassen County Transportation Commission has been scheduled for **Monday, December 12, 2022, at 1:30 p.m.**

**The meeting will be held at the City Council Chambers, 66 North Lassen Street, Susanville, CA.**

**Call in number for participants who want to join by phone:**

**Call number: 302-202-1104**

**Access Code: 968698**

The Agenda is as follows:

**(1) CONVENE**

1.1 Pledge of Allegiance

1.2 Adoption of the Agenda: **Motion Required**

The Commission may make any necessary additions, deletions or corrections to the agenda including moving items to or from the agenda.

1.3 Approval of the Minutes for October 17, 2022, Regular Meeting: **Motion Required**

1.4 Approval of the Consent Calendar: **Motion Required**

**NOTE:** All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by roll call vote unless any member of the Commission wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Commissioner requests otherwise.

1.41 Payment of Clerici Consulting for Executive Secretary and LCTC staffing fees and costs in the amount of \$32,165.94. \*

**REQUESTED ACTION: Approve payment of Clerici Consulting fees and costs in the amount of \$32,165.94 as shown in Invoice #009-31 for November 2022.**

**(2) CORRESPONDENCE/PUBLIC COMMENT**

**(3) REPORTS**

3.1 Reports from Caltrans, CHP, City of Susanville, County of Lassen, and LCTC Staff

- Caltrans Report
- California Highway Patrol (CHP) Report
- City of Susanville Report
- County of Lassen Report
- Susanville Indian Rancheria Report

**(4) NEW BUSINESS**

4.01 ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

- There are no closed session items.

4.02 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

4.10 ACTION/DISCUSSION ITEMS

4.11 Programming of LCTC Regional Surface Transportation Program Exchange Funds

**ACTION REQUESTED: BY MOTION: Authorize staff to:**

1. Deprogram the FY 2018/19 and FY 2019/20 RSTP funds in the amount of \$150,221 and \$166,339 respectively, allocated to the City of Susanville (\$316,550 total) at your April 13, 2020, Special Meeting.
2. Allocate the FY 2018/19 through FY 2021/22 RSTP funds (\$652,786) to the City and County based on the ratio agreed to by the jurisdictions (26.5% to the City and 73.5% to the County) in the amounts of:
  - a. \$172,988 to the City of Susanville
  - b. \$479,798 to Lassen County

4.12 LCTC Draft Bylaws

**REQUESTED ACTION: BY MOTION: Adopt Resolution 22-10 establishing the Rules of Procedures (By-laws) for the Lassen County Transportation Commission.**

4.13 Unmet Transit Needs Update

**REQUESTED ACTION: None. This is an information item only.**

**(5) INFORMATION ITEMS**

5.01 Executive Secretary Report

Updates:

- US 395 Coalition Building
- ZEV RFP process
- ATP Update
- Recognition of Commissioners Hemphill and Hammond

**(6) CORRESPONDENCE**

6.01 None

**(7) OTHER BUSINESS**

7.1 Matters brought forth by the Commission

7.2 Next Commission Meeting – **Monday, January 9, 2023, at 1:30 p.m.**

7.3 Adjourn

\* Attachment

# Enclosure

^ Handout

**ITEMS TENTATIVELY SCHEDULED FOR FUTURE MEETINGS:**

- Final Active Transportation Plan
- Contract of LCTC Staff Services
- Formal adoption of Unmet Needs process and definitions

**LASSEN COUNTY TRANSPORTATION COMMISSION**

**MINUTES**

Regular Commission Meeting

**October 17, 2022**

City of Susanville Council Chambers  
66 North Lassen Street  
Susanville, CA

1:30 P.M. Open Session

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**1:30 P.M. OPEN SESSION**

**1. Convene**

*The Chair called the meeting to order at 1:37 P.M.*

**Roll Call: Present:** Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
**Absent:** Albaugh

**1.1 Pledge of Allegiance**

*The Pledge of Allegiance to the Flag was deferred.*

**1.2 Adoption of Agenda:**

*It was moved by Commissioner Hemphill and seconded by Commissioner Bridges that the Commission adopt the agenda as presented. The agenda was adopted by the following vote:*

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

**1.3 Approval of the August 8, 2022 Regular Meeting Minutes**

*The Commission was asked to adopt the Minutes of their August 8, 2022, Regular Meeting.*

*It was moved by Commissioner Hammond and seconded by Commissioner Hemphill to approve the minutes as presented by staff. The motion was passed by the following vote:*

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

#### **1.4 Approval of Consent Calendar**

*It was moved by Commissioner Bridges and seconded by Commissioner Hammond that that the Commission approve the Consent Calendar as presented by staff. The motion was passed by the following vote:*

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

### **2. CORRESPONDENCE/PUBLIC COMMENT**

*No written communications were received.*

*No public comment was offered.*

### **3. REPORTS**

#### **3.1 Caltrans**

*Scott reported on a couple of Caltrans D2 projects in the region. They included*

- *SR 36 rehab project scheduled for construction in 2023 – include pavement work and widening of some shoulders*
- *Red Rock Safety Project – US 395 – in planning phase and should start construction in 2037*
- *Secret Valley Rest Area Move – Doing a leach field test at new location near Termo*
- *All other projects on hiatus for winter*

#### **3.2 CHP**

*No report was provided by CHP.*

#### **3.3 City of Susanville**

*No report was provided by the City of Susanville.*

#### **3.4 Lassen County**

*Public Works Director Pete Heimbigner reported that recent SB1 chip and seal work was being completed as well as County Rehab B project (STIP funded).*

### **3.5 Susanville Indian Rancheria**

*Duane Sherman introduced himself as the new Tribal Administrator for the Susanville Indian Rancheria. He commented that he looked forward to working with the Commission on various transportation issues.*

## **4 NEW BUSINESS**

### **4.01 Announcement of Items to be Discussed in Closed Session**

*There was no closed session.*

### **4.02 Announcement of Action Taken in Closed Session**

*There was no closed session.*

### **4.10 Action/Discussion Items**

### **4.11 Fiscal Year 2022/23 Transportation Development Act Allocations for Local Transportation Fund (LTF) and State Transit Assistance (STA) and Financial Update**

*The Commission was asked to adopt Resolution 22-08 approving the Final Fiscal Year 2022/23 Transportation Development Act Allocations for the estimates of Local Transportation Fund (LTF) and State Transit Assistance (STA) funds, and authorizing staff to approve claims consistent with the allocations.*

*It was moved by Commissioner Hemphill and seconded by Commissioner Bridges to adopt Resolution 22-08 as requested by staff. The motion was passed by the following vote:*

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

### **4.12 US 395 Investment Plan**

*The Commission was asked to adopt the US 395 Investment Plan and direct staff to transmit the document to Caltrans in keeping with Strategic Partnership Grant Program.*

*The Executive Secretary gave a brief overview of the document, its purpose, development, and how it was already being used to support project proposals in the US 395 corridor south of Susanville. Commissioner Hammond commented on the positive developments for the US 395 Coalition and how the support of the county was critical to its future effectiveness.*

*It was moved by Commissioner Hammond and seconded by Commissioner Hemphill to adopt the US 395 Investment Plan and direct staff to transmit the document to Caltrans. In addition, Commissioner Hammond asked that the Executive Secretary make a*

*presentation to the Lassen County Board of Supervisors before the end of the calendar year. The motion was passed by the following vote:*

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

#### **4.13 LCTC Draft Bylaws**

*No action was requested from the Commission. This was an information item only.*

*The Executive Secretary reported that he wanted to update the by-laws currently being used by the Commission. He noted that these were the ones that were in place when the Commission transitioned from Lassen County management. He noted that the current by-laws were adequate, but that there were differences in the way the Commission operates presently and that those differences should be reflected in the by-laws. He added that the draft by-laws attached to the agenda had been reviewed by Commission Counsel, and that the next step would be to distribute them to the TAC for review and comment. The revised draft by-laws would be submitted to the Commission for adoption at their December 12, Regular Meeting.*

#### **4.14 Augmented ZEV Grant**

*The Commission was asked, by motion, to grant permission to the Executive Secretary and staff to finalize the Request For Proposal (RFP), provide it to Caltrans for review and comment, finalize, and advertise.*

*The Executive Secretary reported that staff was preparing to release the RFP for the Zero Emission Vehicle Infrastructure Study for Lassen and Plumas County. He reminded the Commission that we were partnering with our neighbors to the northwest, and that the RFP needed to be refined to better reflect the analysis of other ZEV's (hydrogen fuel cells) and not just EV's.*

It was moved by Commissioner Hammond and seconded by Commissioner Brown to direct staff to revise the RFP as requested, and distributed it for competitive bid. The motion was passed by the following vote:

AYES: Bridges, Brown, Hammond, Hemphill, McCourt, Stafford  
NOES: None  
ABSENT: Albaugh  
ABSTAIN: None

#### **4.15 Draft Lassen County Active Transportation Plan**

*No action was requested from the Commission. This was an information item only.*

*Genevieve Evans reviewed the progress of developing an updated ATP for Lassen County. She reminded them that the goal of the ATP is to enhance walking, biking and multimodal mobility through Lassen County. The plan identifies and prioritizes*

*infrastructure improvements and programs which have the potential to increase the safety, access and health of residents.*

*She described the process for revising the document to date, and that the information currently before the Commission was Appendix B which presents the ATP project lists in terms of high priority, medium priority and low priority projects for both Lassen County and the City of Susanville as well as recreational trails projects. High priority projects have been prioritized within the tables by staff and stakeholders, while medium and low priority projects are listed alphabetically (not prioritized).*

*She asked that the Commissioners review the lists and provide any input they like. She added that after the commission has provided input, LCTC staff will organize a meeting with stakeholders and local jurisdiction staff to develop a simple short-term implementation plan. The Final Active Transportation Plan along with the implementation plan will be brought forward to the commission at the December meeting.*

**5. INFORMATION ITEMS**

*The following is an overview of some of the issues, projects, and coordination currently being advanced by LCTC.*

**5.01 Executive Summary Report**

*The Executive Secretary reported that most of the items that he had to report on were covered in the agenda. He wished all of the Commissioners a happy and safe Thanksgiving.*

**6. CORRESPONDENCE**

*None.*

**7. OTHER BUSINESS**

**7.1 Matter brought forth by the Commission**

*Commissioner McCourt requested help from Caltrans staff with improvements to crosswalks on SR 139 between SR 36 and the College. Commissioner Bridges added that excessive speed in that area is also a problem.*

**7.2 Next Commission Meeting**

*Next meeting of the LCTC will be on Monday, December 12, 2022, at 1:30 PM, at the City of Susanville, City Council Chambers, 66 North Lassen Street, Susanville, CA.*

**7.3 Adjourn**

*The meeting was adjourned at 2:41 p.m.*

*Submitted for approval by:*



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John Clerici  
Executive Secretary



**LASSEN COUNTY TRANSPORTATION COMMISSION**  
REGIONAL TRANSPORTATION PLANING AGENCY

555 CAPITOL MALL, SUITE 600  
SACRAMENTO, CA 95814

P.O. Box 1028  
SUSANVILLE, CA 96130

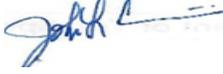
John L. Clerici, Executive Secretary

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Staff Report

Date: December 7, 2022 **AGENDA ITEM 1.41**

To: Lassen County Transportation Commission

From: John L Clerici, Executive Secretary 

Subject: Payment of Clerici Consulting for Executive Secretary and LCTC staffing fees and costs in the amount of \$32,165.94

**REQUESTED ACTION**

Approve payment of Clerici Consulting fees and costs in the amount of \$32,165.94 as shown in Invoice #009-31 for November 2022.

**PAST ACTION**

This is the Thirty-first invoice under the contract with Clerici Consulting for Executive Secretary and staff services.

**DISCUSSION**

Attached is Invoices #009-31, with supporting documentation, and a detailed Progress Report for the period beginning November 1, 2022 and ending November 30, 2022. This invoice includes a detailed invoice for charges for sub-consultants Borroum Engineering in the amount of \$18,192.00, and for LSC Transportation Consultants for \$4,944.15.

Key items of work completed in the last month included the following:

- Met with bike and ped advocates to provide final prioritization of project list for final ATP
- Held US 395 Coalition Meeting – Update and next steps
- Follow-up for October LCTC Commission and TAC meetings
- Submitted final US 395 Investment Strategy to Caltrans
- Participated in meetings for the US 395 Coalition on behalf of Lassen County

These charges are consistent with the billing trends for the FY 2022/23 OWP budget to date.

Attachments (1)

# INVOICE

**Project Title:** Lassen County Transportation Commission  
Executive Secretary and Staffing Services

**Date:** December 1, 2022  
**Invoice #** 009-031  
**Billing Cycle Ended:** 11/30/2022 (November 1, 2022 - November 30, 2022)

**Clerici Consulting**  
 1555 Sean Drive  
 Placerville, CA 95667  
 530-919-9739  
 jlfclerici@gmail.com

**To:** Mr. Aaron Albaugh, Chairman  
 Lassen County Transportation Commission  
 PO Box 1028  
 Susanville, CA 96130

Staff Member	Total Hours	Payroll Rate	Overhead Rate	Profit (5%)	Total Rate	Total Cost
John Clerici	63.00	\$ 65.00	\$ 71.50	\$ 6.83	\$ 143.33	\$ 9,029.79
Borroum Engineering	November					\$ 4,944.15
LSC Transportation Consultants	November					\$ 18,192.00
Printing, copies, reproduction						No Charge
Travel (Lodging, meals)						No Charge
<b>TOTAL</b>						<b>\$ 32,165.94</b>
Prior Balance						\$ 35,095.41
Payment						\$ 35,095.41
<i>Thank you for your history of prompt payment! As a small business, we greatly appreciate it!</i>						<b>Total Due \$ 32,165.94</b>



**PROGRESS REPORT**  
**CLERICI CONSULTING ACTIVITIES**

Project: Lassen County Transportation Commission  
Clerici Consulting Project 009-030  
Period: November 1, 2022 – November 30, 2022

**WORK COMPLETED (through November 30, 2022)**

**SPECIFIC WORK ELEMENT RELATED ACTIVITIES**

- **Work Element 100 – Administration**
  - Provided follow-up for the October 2022 Regular Commission meeting
  - Met with LCTC Chair (11/22)
  
- **Work Element 601A – General Planning**
  - Coordinate with Caltrans on information meetings that discuss impacts of State Route Development/System Management Plans
    - D2 Local Agency Management Meeting (11/8)
  - Participated in Rural Counties Task Force meeting (11/17)
  - Continued to monitor regional and statewide transportation issues
  - Participated in US 395 quarterly update with wildlife managers working on highway crossings (11/7)
  
- **Work Element 601B – RTP Data Collection**
  - Continued updates to RTP Sections 1 and 2
  - Met with City and County staff and trail advocates to begin updates for RTP projects lists (11/16)
  
- **Work Element 601C – Active Transportation Programming**
  - No work was done in this Work Element
  
- **Work Element 601D – Transit Planning**
  - No work was done in this Work Element
  
- **Work Element 602 – Programming**
  - Continued to monitor 2022 STIP activities and respond to CTC comments and requirements for final adoption by the CTC – Prepared PPM Funds Transfer

- Worked with City and County staff to develop CTC materials to apply for CRSSA program funds
  
- Work Element 603 – Outreach
  - Provided interagency outreach through the LCTC Technical Advisory Committee
    - Provided follow-up to October TAC meeting
    - Updated LCTC Website as needed
  - Met with Governor’s Office of Planning and Research related to issues for Lassen County (11/30)
  - Met with US 395 Coalition (11/17)
  
- Work Element 604 – TDA
  - Processed other TDA related claims and transfers as needed
  - Met with Consultants to discuss TDA Performance Audit (11/15)
  
- Work Element 703 – US 395 Phase 2
  - No work was done in this work element
  
- Work Element 704 – Local Road Safety Plan
  - No work was done in this work element
  
- Work Element 705 – Zero Emission Infrastructure
  - Assisted with the development and distribution of ZEV RFP

12/5/2022

INVOICE TO CLERICI CONSULTING (re: Lassen County Transportation Commission)

Borroum Engineering  
 633 Tamarindo Way  
 Roseville, CA 95678

Invoice #30: Invoice Period: November 1, 2022 - December 1, 2022

DATE	HOURS										Labor Sub-Total
	OWP Task 100- Administration	OWP Task 601A- Transportation Planning - General	OWP Task 601B - Regional Transportation Planning	OWP Task 602 - Programming	OWP Task 603 - Outreach	OWP Task 604 - TDA	OWP Task 703 - Rt 395 Grant Study	OWP Task 704 Local Roadway Safety Plan	OWP Task 705-EV Feasibility Study		
October											
1		4						4		8	
2		4						4		8	
3		4						4		8	
4		3								3	
5h											
6		8								8	
7		8								8	
8		8								8	
9		8								8	
10		3				5				8	
11		3				5				8	
12											
13											
14			4					4		8	
15		4								4	
16		4						4		8	
17		2	6							8	
18		1								1	
19											
20											
21				5		3				8	
22				5		2				7	
23				3		5				8	
24				2		5				7	
25											
26											
27											
28		8		5		3				8	
29		8				2				8	
30		6								8	
TOTAL	0	70	10	20	0	30	20	0	0	150	
	Rate: \$121.28/hour										
	\$	-	\$ 8,484.70	\$ 1,212.80	\$ 2,425.60	\$ -	\$ 3,638.40	\$ 2,425.60	\$ -	\$ 18,192.00	

Total this Invoice:

*[Handwritten Signature]*  
 12/5/22

**Steve Borroum**

**Work assignments**

**Invoice period for November 1, 2022 to December 1, 2022**

- With Caltrans, the Commission, the County and the City of Susanville work on updating the long-range transportation projects in the RTP, including amending the RTP as needed. This includes work on data collection, planning Rt 36 and 395, non-vehicular transportation, and transit systems. This also includes work to analysis the County demographic changes. (OWP work element 601A and 601B)
- With the local transit operator, Caltrans, the County, the City, and the County Auditor to identify available funding, and assist the Commission's project prioritization and programming processes. (OWP work element 602)
- With the independent auditor and the County Auditor addressing audit findings, address claims for ensuing year, preparing year end audit reports (OWP work element 604)
- Administration support for the grant (contracts, budgets and schedules, and invoicing) (OWP work element 703, 704, and 705)
- Management and engineering oversight/support (OWP work element 703, 704 and 705)

  
12/5/22



LSC Transportation Consultants, Inc.  
 1889 York St.  
 Denver, CO 80206  
 303-333-1105

John Clerici Consulting  
 Attn: Accounts Payable  
 1555 Sean Dr.  
 Placerville, CA 95667

Invoice number 62900  
 Date 12/05/2022

Project 207081A LCTC On Call Assistance Work  
 Element 601

Professional Services rendered through 11/30/2022  
 Project Manager: Genevieve A. Evans

**Professional Fees**

	Hours	Rate	Billed Amount
Genevieve A. Evans	29.00	150.00	4,350.00
Gordon R. Shaw	1.00	210.00	210.00
Justine E. Marmesh	2.00	105.00	210.00
Professional Fees subtotal	32.00		4,770.00

**Reimbursables**

	Billed Amount
Mileage	174.15

Invoice total **4,944.15**

**Invoice Summary**

Description	Contract Maximum	Prior Billed	Current Billed	Remaining
General Planning	22,900.00	18,155.00	1,050.00	3,695.00
Regional Transp. Planning, Data Collection	115,043.00	49,468.75	3,069.15	62,505.10
Active Transportation	18,000.00	17,911.97	750.00	-661.97
Transit Planning	9,000.00	6,375.00	75.00	2,550.00
<b>Total</b>	<b>164,943.00</b>	<b>91,910.72</b>	<b>4,944.15</b>	<b>68,088.13</b>

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
62792	11/07/2022	4,455.00	4,455.00				
62900	12/05/2022	4,944.15	4,944.15				
<b>Total</b>		<b>9,399.15</b>	<b>9,399.15</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>



**TRANSPORTATION PLANNING AND  
TRAFFIC ENGINEERING CONSULTANTS**

2690 Lake Forest Road, Suite C  
Post Office Box 5875  
Tahoe City, California 96145  
(530) 583-4053 FAX: (530) 583-5966  
info@lsctahoe.com

Date: December 4, 2022

John Clerici  
1555 Sean Drive  
Placerville, CA 95667

Project: FY 2022-23 LCTC Staffing Assistance

Dear Mr. Clerici:

The following is a summary of work performed for the Lassen County Transportation Commission staffing team for the month of November 2022:

- Monthly staff team call
- General project coordination and regional transportation planning
- Meeting with stakeholders to prioritize active transportation projects for ATP
- Work on the Final Active Transportation Plan
- Meeting with the City and County to discuss RTP projects
- Conducted SSTAC meeting
- Discussion of transportation reimbursement program with transit operator

Work performed for each OWP Work Element is as follows:

Work Element 601 – Total \$4,944

- A) General Planning - \$1,050
- B) Regional Transportation Planning and Data Collection - \$3,069
- C) Active Transportation Planning - \$750
- D) Transit Planning - \$75

Work Element 603 – Engagement - Total \$0

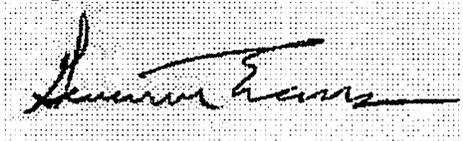
Work Element 703 – US 395 – Total \$0

Work Element 704 – Safety Study – Total \$0

**Grand Total for September: \$4,455**

Please find more detail in the attached pages.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Genevieve Evans", is written over a rectangular area with a light gray dot grid background.

Genevieve Evans  
Associate  
LSC Transportation Consultants Inc.



**LASSEN COUNTY TRANSPORTATION COMMISSION**  
REGIONAL TRANSPORTATION PLANING AGENCY

555 CAPITOL MALL, SUITE 600  
SACRAMENTO, CA 95814

P.O. Box 1028  
SUSANVILLE, CA 96130

John L. Clerici, Executive Secretary

Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 4.11**

Date: December 1, 2022

From: John L. Clerici, Executive Secretary 

Subject: Programming of LCTC Regional Surface Transportation Program Exchange Funds

**REQUESTED ACTION**

**By MOTION, Authorize staff to:**

- 1. Deprogram the FY 2018/19 and FY 2019/20 RSTP funds in the amount of \$150,221 and \$166,339 respectively, allocated to the City of Susanville (\$316,550 total) at your April 13 2020 Special Meeting.**
- 2. Allocate the FY 2018/19 through FY 2021/22 RSTP funds (\$652,786) to the City and County based on the ratio agreed to by the jurisdictions (26.5% to the City and 73.5% to the County) in the amounts of:**
  - a. \$172,988 to the City of Susanville**
  - b. \$479,798 to Lassen County**

**BACKGROUND**

Congress comprehensively overhauled Federal transportation funds with the adoption of the Intermodal Surface Transportation Efficiency Act in 1991. Funding for local and regional roads was provided under the RSTP program since the adoption of ISTEA. Prior to ISTEA local and regional roads were funded through Federal-Aid Urban and Federal-Aid Secondary (FAS) programs.

The California Legislature adopted implementing legislation following ISTEA which provides that each County government receive an amount of RSTP funds equal to 110% of their final year of FAS funding.

In addition, the legislation provided for a source of RSTP funds that went to local transportation commissions to distribute regionally. This was done in large part to make funds available to cities that did not get a direct allocation of these funds. Because the County had a State-guaranteed amount of funding, it appears that this led the LCTC to program the regional apportionment for projects to the City since the inception of the program in the early 1990's, although City or County projects are both eligible.

Since the beginning of the RSTP Lassen County has received a separate amount of RSTP funds in two apportionments. This year the aggregate of those two apportionments amounts to approximately \$470,000. Although RSTP funds can be used for a variety of purposes, Lassen County uses them almost exclusively for road maintenance and rehabilitation. These are the primary uses for the City as well.

At your April 2020 meeting, the Commission agreed to allocate FY 2018/19 and FY 2019/20 RSTP funds in the amounts of \$150,221 and \$166,339 respectively, to the City of Susanville.

The City has not claimed these funds, and they are presently being held by the Commission. In May 2021 the Commission received another installment of RSTP funds for FY 20/21 in the amount of \$162,375. At the time both the city and county reported to the Commission that they were in discussions to determine a more equitable split of the RSTP funds.

Since then, the Commission has received an additional allocation of RSTP funds for FY 21/22 in the amount of \$173,051. With this most recent increment, the Commission has accumulated RSTP funds totaling \$652,786 for FY's 18/19 through 21/22.

## **DISCUSSION**

Commission, City and County staff have engaged in conversations about the equitable division of the RSTP funds since May 2021. There have been a number of offers and counteroffers between the City and County during that time. They include:

- Area of road pavement each jurisdiction is required to maintain. That would be approximately 8,084,000 square feet of asphalt for the City and approximately 52,440,960 square feet of the County. Based on this the ratio of 13% for the City and 87% for the County.
- Population for each jurisdiction. The current population split is 40% for the City and 60% for the County.

Ultimately the City and County agreed to split the difference between the two methods and allocate 26.5% of the accumulated RSTP funds to the City, and 73.5% to the County. Or \$172,988 and \$479,798 to each jurisdiction respectively.

In order to distribute the RSTP funds as agreed to by the City and County, the Commission needs to take two actions:

3. Deprogram the FY 2018/19 and FY 2019/20 RSTP funds in the amount of \$150,221 and \$166,339 respectively, allocated to the City of Susanville (\$316,550 total) at your April 13 2020 Special Meeting.
4. Allocate the FY 2018/19 through FY 2021/22 RSTP (\$652,786) to the City and County based on the ratio agreed to by the jurisdictions (26.5% to the City and 73.5% to the County) in the amounts of:
  - a. \$172,988 to the City of Susanville
  - b. \$479,798 to Lassen County

## **ALTERNATIVES**

Provide direction to staff.



John L. Clerici, Executive Secretary

Staff Report

To: Lassen County Transportation Commission

**AGENDA ITEM 4.12**

Date: December 12, 2022

From: John L. Clerici, Executive Secretary

Subject: LCTC Draft Bylaws

**REQUESTED ACTION**

**BY MOTION: Adopt Resolution 22-10 establishing the Rules of Procedures (By-laws) for the Lassen County Transportation Commission**

**BACKGROUND**

By-laws are a rule, or rules, adopted by an organization chiefly for the government of its members and the regulation of its affairs. Prior to 2017 (since 1972) the LCTC was staffed by Lassen County. In 2017 the Commission moved to relinquish Lassen County of its management responsibilities and hired a consultant, through competitive contract, to provide staff services. As part of this transition the LCTC adopted the bylaws utilized by Lassen County.

To date these by-laws have adequately served the LCTC and its staff. However, staff has recognized for some time that there were some discrepancies in the by-laws and the actual operation of the LCTC under its current staffing model. These are fairly minor issues that include:

- **REGULAR MEETINGS:**  
Existing - A Regular Meeting of the Commission shall be held on the second Monday of every odd numbered month (January, March, May, July, September, and November) in the Lassen County Board of Supervisors Meeting Room located at 707 Nevada Street, in the City of Susanville, the County Seat.  
Proposed - A schedule of the Regular Meetings of the Commission for the next fiscal year will be adopted at the last meeting of the previous fiscal year by the Commission. Commission meetings will be held on the second Monday of the month at a location selected by the Commission.
- **TIME OF BUSINESS**  
Existing - Time of business for a regular meeting shall normally be conducted from 1:00 P.M. unless another start time is timely published on any agenda in accord with the Ralph M. Brown Act.  
Proposed - Time of business for a regular meeting shall normally be conducted from 1:30 P.M. unless another start time is timely published on any agenda in accord with the Ralph M. Brown Act.
- Other changes include renaming the Executive Director to Executive Secretary, and reorient the responsibilities to meet the current staffing structure.

**DISCUSSION**

LCTC staff shared these revised by-laws with Commission Counsel for review and comment. Staff distributed the revised by-laws with your Technical Advisory Committee, as well as with the Commissioners, for review and comment.

During that review comments were received, discussed with Commission Counsel, and adopted into the by-laws as appropriate.

The version you have today is the result of that review process.

**RECOMMENDATION**

Adopt Resolution 22-10 as presented by staff.

Attachments (1)

LASSEN COUNTY TRANSPORTATION COMMISSION  
Resolution 22-10  
Rules of Procedure for the Lassen County Transportation Commission

WHEREAS, The Lassen County Transportation Commission (Commission) was formed on May 8, 1972, by the Lassen County Board of Supervisors by the adoption of Resolution No. 2119 and pursuant to Article 11, Chapter 2 of Division 3 of Title 3 of the California Government Codes to comply with the provisions of California Senate Bill 325, the Mills-Alquist-Deddeh Act, better known as the Transportation Development Act (TDA); and

WHEREAS, the Commission has specific duties pursuant to state and federal statute as the Local Transportation Commission for administering the provisions of the Transportation Development Act for allocating Local Transportation Funds and State Transit Assistance Funds and as the state designated Regional Transportation Planning Agency to perform transportation planning activities for its member entities; and,

WHEREAS, the Commission is established as a public entity separate and distinct from its member entities of the County of Lassen and City of Susanville; and,

WHEREAS, California Government Code Section 29535 governs the composition of a local transportation commission's governing board to be comprised of six appointed regular members and six appointed alternative members; and,

WHEREAS, the Lassen County Board of Supervisors and the Susanville City Council shall each appoint three regular members to serve on the Commission; and

WHEREAS, each appointing authority, for each regular member it appoints, may appoint an alternate member to serve and vote in the place of the regular member when the regular member is absent or disqualified from participating in a meeting of the commission; and

WHEREAS, the term of office for each regular member or alternative member is at pleasure of the member's appointing member agency, and it may be affirmed at any frequency, from time to time, at the discretion of its member agency; and,

NOW THEREFORE, BE IT RESOLVED by the Commission that the Commission is authorized to exercise the common powers provided for in these Rules of Procedure (Rules) and to administer and otherwise execute the provisions of these Rules.

BE IT FURTHER RESOLVED that it is the intention of the Commission that these Rules shall supersede any prior guidelines, agreements, discussions, commitments, representations, resolutions, actions or agreements, written or oral, of the Commission pertaining to commission proceedings and Rules.

## **RULES OF PROCEDURE**

### **RULE 1. MEETINGS**

**Regular Meeting:** A Regular Meeting of the Commission shall be held on the second Monday of every odd numbered month (January, March, May, July, September, and November) in the City of Susanville Council Chambers, or at a time and location determined by the Commission.

- A. **Special Meeting:** A Special Meeting of the Commission may be held at any time or place, if notice of such meeting is given consistent with the Ralph M. Brown Act. The Chairman of the Commission, the Vice Chairman, or the Executive Secretary may call a special meeting, including the time and date of business to be conducted. It shall be the responsibility of the Executive Secretary to prepare, post and provide notice and agenda of the special meeting consistent with the Ralph M. Brown Act.
  
- B. **Time Business:** Time of business for a regular meeting shall normally be conducted from 1:30 P.M. unless another start time is timely published on any agenda in accord with the Ralph M. Brown Act.
  
- C. **Adjournment:** Whoever is present, even if they are less than a quorum, may so adjourn a regular or special meeting if no member of the Commission is present, the Clerk or Executive Secretary may adjourn the meeting. Notices and agendas for adjourned and continued meetings and hearings shall follow the Ralph M. Brown Act.
  
- D. **Order of Business:** The Order of Business at regular and special meetings shall be as arranged by the Chairman, except for matters set for a specific time by the agenda or action of the Commission. The Order of Business at regular meetings shall be identified on the agenda as follows:

### **AGENDA**

- 
- 1. **Convene/Call to Order (Re-adjournment, if necessary)**
  - 1.1 Pledge of Allegiance
  - 1.2 Agenda Approval, Additions and/or Deletions
  - 1.3 Minutes Approval
- 2. **Correspondence/Public Comment**
  - 2.1 Public Comment (Non-Agenda Items)
  - 2.2 Correspondence
- 3. **Reports**
  - 3.1 Executive Secretary
  - 3.2 Caltrans
  - 3.3 California Highway Patrol
  - 3.4 Susanville Indian Rancheria
  - 3.5 City of Susanville
  - 3.6 County of Lassen
  - 3.7 Technical Advisory Committee

### 3.8 Summary of Commission Financial Activities

4. New Business
5. Other Business
6. Closed Session (Optional), if needed, and may be held at any time as permitted by the Ralph M. Brown Act and as allowed by the agenda schedule.
7. Announcement of Items Discussed in Closed Section
8. Matters brought forth by Commission members
9. Recess (as necessary)
10. Adjournment

E. Matters not on the Agenda: It is the policy of the Commission to discourage adding items not listed on the posted agenda unless there is a substantial urgency to add such item. Items may be added to the agenda only in compliance with the Ralph M. Brown Act. Ralph M. Brown Act. Commission meetings shall be conducted in the manner prescribed by the Ralph M. Brown Act (Chapter 9, Part 1, Division 2 of the Government Code, commencing with Section 54940) or as amended.

## RULE 2. OFFICERS

A. Officers: The Commission Officers shall consist of a Chairman and a Vice Chairman.

The duties of the Chairman include:

1. Presiding at all meetings of the Commission
2. Ruling on points of procedure
3. Setting the order of business on the Agenda
4. Establishing ad hoc committees
5. Appointing members to standing and temporary (ad hoc) committees
6. Executing documents on behalf of the Commission where the underlying action has been approved by the Commission
7. Calling Special Meetings of the Commission, as authorized pursuant to SECTION 2, above

The Duty of the Vice Chairman includes:

1. Fulfilling the duties of the Chairman when the Chairman is absent

B. Election of Officers: At the first regular meeting of the calendar year, the Chairman and Vice Chairman shall be elected by majority vote of the Commission. In the event that in any given year, the first regular meeting of the year shall occur before any newly elected Commission member (or members) is seated, the election of the Chairman and Vice Chairman shall be postponed until all new Commission members are seated or until the second regular meeting of the year.

C. Term: The Chairman and Vice Chairman shall preside for one year, or until their successors are installed, respectively, whichever last occurs.

D. Chairman Pro Tem: In the absence or inability of the Chairman and the Vice Chairman to attend any meeting, a Chairman pro tem shall be selected by the members present to serve in

such capacity at that meeting.

- E. Vacancies: If the Chairmanship becomes vacant for any reason, the office is to be filled by the Vice Chairman, irrespective of the length of time the Vice Chairman has held such office. If the Vice Chairman succeeds to the office of the Chairman, the Commission shall elect a new Vice Chairman at the earliest opportunity.
- F. Removal: Any officer may be removed from office by a majority vote of the Commission.

### RULE 3. ATTENDANCE

- A. Commission Members: All regular and alternate Commission members are expected to attend the meetings of the Commission unless such member is ill, subjected to a business or family emergency, or official business. Members are required to let the Executive Secretary and Chairman know of any planned absences.
- B. Clerk (Executive Secretary): The Executive Secretary or designee shall serve as the Clerk (Executive Secretary) of the Commission. The Clerk shall maintain a public record of the Commission's resolutions, transactions, findings, and determinations, and shall prepare agendas and minutes of each regular and special meeting of the Commission.
- C. Legal Counsel: The Commission may proceed with Agenda matters for which Counsel's presence is unlikely to be required. The Executive Secretary or Chairman shall make prior arrangements with Counsel to be present at a meeting or available to the Commission by telephone.
- D. Executive Secretary: The Executive Secretary or designee shall attend all meetings of the Commission. Occasional absences for the purposes of a vacation are recognized. The Executive Secretary shall advise the Commission of any planned absences.

### RULE 4. AGENDA MANAGEMENT

- A. Preparation: Agendas for regular and special meetings will be prepared by the Executive Secretary or designee based on items submitted by regular or alternative members, the City Administrator, the County Administrative Officer, the City Director of Public Works, the County Director of Public Works/Transportation Director, and written requests from affiliated agencies (i.e. Caltrans, California Highway Patrol, Federal Highway Administration) or the public.
  - 1. Requests from members of the public to place an item on a regular or special agenda shall either be sponsored by a regular member or alternative member or the Executive Secretary before being placed on the agenda for discussion. Issues or conflicts pertaining to the sponsorship on an agenda items that are not resolved among the foregoing shall be submitted to and resolved by the Chairman of the Commission or by majority vote at a regular or special meeting.

- a. Legal Documents: Any formal contract or agreement shall be submitted to the Commission in final form as “approved to form” by legal counsel together with any proposed adopting resolution.
- B. Correspondence: Any item of correspondence requiring discussion and action by the Commission shall be noticed correctly for the item to be acted upon by the Commission.
- C. Reconsideration: Any matter which has been decided by vote can be reconsidered by the Commission when a regular or alternative member, who 1) was on the prevailing side of the vote, and 2) who has changed position or view requests reconsideration of the matter.

#### RULE 5. PROCEDURE

- A. Motion: When a member makes a motion, the motion shall be stated to the Chairman by the moving member. Upon being recognized by the Chairman, anyone may ask the Chairman to ask the Clerk to repeat the motion.
- B. Second: No question on a motion shall be debated or put to vote unless the motion has been seconded. When a motion is seconded, it may be stated by the Chairman or the Chairman’s designee before the debate.
- C. Possession and Withdrawal: A motion having been stated by the Chair, it shall be deemed to be in possession by the Commission, but it may be withdrawn at any time by the maker of the motion before decision or amendment with the assent of the second.
- D. Incidental Motions: When a question is under debate, no motion shall be received unless:

To adjourn

*A motion to adjourn shall be decided without debate.*

To take a recess

To adjourn at a fixed time

*A motion to fix time of adjournment shall be decided without debate.*

To lay on the table

To take from the table

To consider the previous question

To postpone to a certain time and date

To commit to committee

*A motion to commit to committee shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Commission*

To amend

To postpone indefinitely

- E. Call to Order: A member called to order shall relinquish the floor unless permitted to explain, and the Commission, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Chair shall be final.

- F. Roll Call Vote: Upon demand of any Commission member, or at the discretion of the Chair, the vote shall be by roll call. The vote at all telephonic meetings shall be by roll call. The vote of each Commission member on an action shall be publicly reported.
- G. Quorum: A quorum for the transaction of business shall be four members comprised of 1) regular members, or 2) any combination of regular and alternate member(s) serving in the absence or vacancy of a regular member from the same jurisdiction. If less than a quorum is present, the only action which may be taken is to note for the record that a quorum is lacking. Without a quorum, a meeting may not be scheduled or rescheduled.
- H. Voting Requirements: Each regular member appointed to the LCTC, or alternate member serving in the absence or vacancy of a regular member, shall have one vote on matters brought before the LCTC.
  - 1. The minimum vote required to pass an item shall be four (4) affirmative votes unless a greater number is otherwise required by law or by prior action of the Commission. If only four (4) members of the Commission are present, any action shall require a unanimous vote of such four members.
- I. Abstentions: Any Commission member may abstain from voting. An abstention shall not be counted as a vote for or against an item. An abstention from voting on the merits of any matter shall be announced audibly.
- J. Minute Order: A Commission Minute Order applies as a directive to the Executive Secretary. It need not be reviewed in writing, as it generally applies to one specific act only (e.g. investigate funding opportunities and report back to the Commission at the next regular meeting).

## RULE 6. CONFLICTS OF INTEREST

- A. Procedure: Any Commission member who has a financial interest in a decision (see Government Code § 87100, et. seq.) shall do the following:
  - 1. Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, and
  - 2. Recuse himself or herself from discussing and voting on the matter
  - 3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the consent agenda, or as otherwise allowed by law. .

*While there is some legal authority which allows an individual Commission member to address the Commission on an issue with which they have a conflict, it is incumbent on that individual Commission member to correctly apprise themselves to what degree they are legally permitted to do so. Such activity should be exercised with caution not only to reduce the likelihood of a*

*violation by the individual Commission member of the Political Reform Act, Government Code section 1090, or any other applicable law, but also to mitigate any perception of impropriety by the Commission as a whole.*

#### **RULE 7. PUBLIC COMMENT**

- A. Closed Session and Non-Agenized Items of Commission Business: The Order of Business on the Commission's Agenda shall provide a time for public comment to allow members of the public to speak 1) at prior to any closed session, if any, and 2) during each regular and each special meeting on any item of interest within the subject matter jurisdiction of the Commission, however, the Commission is prohibited from taking any action on any item not listed on the Agenda.
- B. Public Comment on Agenda Items: The public shall have the right to speak on a specific item of business before or during the Commission's consideration of the item on the agenda.
- C. "Public" Defined: The term "Public" includes everyone except members of the Commission, members of the Technical Advisory Committee, Elected Officials or their designees (collectively referred to as "staff"), Commission Staff, representatives to the Commission from the California Highway Patrol, CalTrans, Federal Highway Administration, Commission's independent contractor(s) and any authorized signatory party to a contract agenzized and pending before the Commission.

#### **RULE 8. PROCEDURE FOR HEARINGS**

The order of procedure for hearings before the Commission shall follow the County of Lassen's procedures for hearings, as contained in the Board of Supervisors Rules of Procedures.

#### **RULE 9. ADOPTION OF RESOLUTIONS**

Resolutions shall be adopted by a majority vote of the members upon motion duly made and seconded. A resolution shall take effect immediately, unless a different time period for effectiveness is set by law. A resolution may be adopted by a voice vote except where the law requires a specific number of votes.

#### **RULE 10. DIRECTION OF COMMISSION PERSONNEL AND CONTRACTORS**

All direction to Commission employees and independent contractors should be given through the Executive Secretary or as provided by agreement. Individual commission members shall not give direction to commission employees or independent contractors.

#### **RULE 11. AMENDMENTS**

Amendments to these rules of procedure shall be by majority vote of the Commission, and the amendment shall become active at the Commission's next regular meeting.

#### **RULE 12. COMMITTEES**

- A. Creation: The Chairman, Executive Secretary, or the Commission has the power to establish

committees for addressing items of Commission interest or authority. A motion from the Commission to commit an item or to create a committee shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Commission. The types of committees shall be as follows:

1. Standing Committees: By resolution or formal action of the Commission, the Commission may create a standing committee of the Commission for the purpose of having continuing subject matter jurisdiction (e.g. budget, policy, planning) and a fixed meeting schedule. A standing committee shall comply with the Ralph M. Brown Act.
  
2. Temporary Advisory or Ad Hoc Committees: A temporary advisory (i.e. ad hoc) committee may be designated by an informal action of the Chairman, or at any time under the implied authority of the Executive Secretary. In either occurrence, a temporary advisory committee may be exempt from the Ralph M. Brown Act, and shall only perform under these conditions: (1) a limited term (2) be comprised of less than a quorum of the Commission; (3) serve in a limited or single purpose (i.e. specific task), (4) is not perpetual, and (5) it will be dissolved once its specific task is completed.

**RULE 13. INTERPRETATION**

In the absence of rules, herein, or if interpretation is necessary of these Rules, the Chairman and the Commission shall refer and adhere to Rosenberg’s Rules of Order<sup>1</sup> in effect at any given time.

The foregoing resolution was passed and adopted at the December 12, 2022 meeting of the Lassen County Transportation Commission by the following vote:

- AYES:
- NOES:
- ABSTAINED:
- ABSENT:

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Aaron Albaugh  
Chair, Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

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John Clerici, Executive Secretary

December 12, 2022



**LASSEN COUNTY TRANSPORTATION COMMISSION**  
REGIONAL TRANSPORTATION PLANING AGENCY

555 CAPITOL MALL, SUITE 600  
SACRAMENTO, CA 95814

P.O. Box 1028  
SUSANVILLE, CA 96130

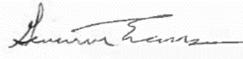
John L. Clerici, Executive Secretary

Staff Report

To: Lassen County Transportation Commission

**AGENDA ITEM 4.13**

Date: December 5, 2022

From: Genevieve Evans, LCTC Staff 

Subject: Review Unmet Transit Needs Definition

**REQUESTED ACTIONS**

**Provide direction to staff regarding the unmet needs process for FY 22-23**

**BACKGROUND & DISCUSSION**

The Unmet Transit Needs process is required by law before Transportation Development Act (TDA) Local Transportation Funds (LTF) can be allocated for streets and roads purposes. As part of this process, each year the Commission adopts definitions “Unmet Transit Needs” and “Reasonable to Meet” and also appoints members, as needed, to the Social Services Transportation Advisory Council (SSTAC), when vacancies existed. The process typically starts in January of the fiscal year and concludes in May or June, and culminates in a determination of what, if any, unmet needs identified during the process are reasonable to meet. If there are no unmet transit needs reasonable to meet, then extra LTF funds not currently allocated to the public transit operator can be allocated to the City of Susanville and County of Lassen for streets and roads purposes.

During the FY 2021/22 Unmet Transit Needs process, the commission adopted revised definitions of unmet transit needs and reasonable to meet criteria which were recommended by staff to clarify these definitions and keep the process current.

Input from the SSTAC is an important part of the unmet transit needs process, as identified in TDA law. For multiple years, transportation to out-of-county medical appointments has been cited by the SSTAC as an important transit need. As Lassen County residents are aware, there are limited medical facilities within the county, so many residents must travel out-of-county for appointments with specialists or for specialized services. For example, dialysis is not available in Lassen County. The current definition of an unmet transit need restricts an unmet transit need to “within the jurisdiction of the LCTC”.

Given the importance of out-of-county travel for medical purposes for Lassen County residents, staff is recommending that the current unmet transit needs definitions be reviewed and that the commission consider eliminating the restriction that an unmet transit need be within the jurisdiction of the LCTC. Staff

believes that this change is within the spirit of TDA law and consistent with other jurisdictions. Placer County’s definition of an unmet transit need is quite simple and not restricted to within the county:

*“An unmet transit need is an expressed or identified need, which is not currently being met through the existing system of public transportation services. Unmet transit needs are also those needs required to comply with the requirements of the Americans with Disabilities Act.”*

Humboldt County recently undertook an intensive Strategic Planning effort for their SSTAC. As part of this process the unmet transit needs definition was changed to eliminate the restriction that unmet transit needs must be within the county. Although TDA law identifies a few requirements for adopting unmet transit needs, the definitions are open to a large degree of interpretation.

It should be noted that an unmet transit need is still subject to reasonable to meet criteria (see Attachment A). Also note that the unmet transit needs process is not a requirement to implementing new services or changing existing services. The unmet transit needs process is triggered if LTF is intended to be used for non-transit purposes.

Attachment A displays the current unmet transit needs definitions and reasonable to meet criteria with suggested staff changes.

## **ALTERNATIVES**

Provide direction to staff.

Attachments(1)

## Attachment A

LASSEN COUNTY TRANSPORTATION COMMISSION  
RESOLUTION 22-01  
ADOPTING “UNMET TRANSIT NEEDS” AND “REASONABLE TO MEET”  
DEFINITIONS

WHEREAS, the Transportation Development Act (TDA) provides funding for streets and roads under Article 8 for counties with a population of 500,000 or less, and

WHEREAS, Lassen County has a population of less than 500,000 thereby making Lassen County eligible for funding under Article 8, and

WHEREAS, Section 99401.5 of the TDA requires that transportation planning agencies identify unmet transit needs that are reasonable to meet prior to making any allocations for streets and roads, and

WHEREAS, the regional transportation planning agency is required to adopt definitions of the terms “unmet transit needs” and “reasonable to meet” by resolution as a component of the unmet needs process.

NOW THEREFORE BE IT RESOLVED, that the definition of “unmet transit needs” is deemed as follows:

An unmet transit need is any deficiency in the system of public transit services, specialized transit/paratransit services, and private transportation services for Lassen County residents within the jurisdiction of the Lassen County Transportation Commission (LCTC) which has been identified by community members or through a local or regional planning process and which has not been funded and implemented. At a minimum, this may include desires for transportation services which are identified through the annual TDA Unmet Transit Needs public hearing, by the Social Service Transportation Advisory Council, in Lassen County’s Transportation Development Plan, in the Regional Transportation Plan, or in the compliance plan for the Americans with Disabilities Act as prepared by any public or private entity.

LCTC recognizes that public transportation includes a broad range of users, uses, and destination. Although, some services may be restricted or give priority to traditionally transit-dependent populations (such as elderly, disabled, low-income, or youth), all eligible users should have equivalent access or opportunity to use the service. The transportation desire of a small group of individuals or of the clients of particular agencies shall not, in and of themselves, be sufficient to justify a finding of unmet transit need.

Trips that would duplicate transportation services to the general public are not considered unmet transit needs. A need for transportation service beyond the fiscal year under consideration shall not be considered an unmet transit need at the present time. Provision of escorts or attendants is not a transit need.

BE IT FURTHER RESOLVED that the definition of “reasonable to meet” is deemed as follows:

LASSEN COUNTY TRANSPORTATION COMMISSION  
RESOLUTION 22-01  
ADOPTING “UNMET TRANSIT NEEDS” AND “REASONABLE TO MEET”  
DEFINITIONS

BE IT FURTHER RESOLVED that the definition of “reasonable to meet” is deemed as follows:

An identified unmet transit need can be determined to be “reasonable to meet” if it is demonstrated, based upon LCTC staff analysis or other independent evidence, that the transit need can be met within the following performance and financial standards:

- For fixed route services data analysis must demonstrate that the unmet transit need will meet a 10% fare revenue ratio Farebox ratio is defined as fare revenue divided by operating costs or in other words the proportion of operating costs which are covered by passenger fares.
- For all other systems, data analysis must demonstrate that the unmet transit need shall achieve at least the fare revenue ratio and passenger productivity standards established in the Lassen County Transit Development Plan and the Regional Transportation Plan or as established by statute.
- Unmet transit needs which are an extension of service shall achieve at least half the system-wide performance standards, when considered separately. An exception can be made in the case of an extension of service determined to be a necessary lifeline service for transit dependent populations.
- Unmet transit needs shall not cause the transit system to fail to meet the systemwide farebox ratio standard set by the state through the Transportation Development Act (TDA) which is currently 10 percent for all Lassen Rural Bus transit services combined. The official farebox ratio used for TDA compliance is calculated annually by the Fiscal and Compliance Auditor.

The unmet transit need will not require the expenditure of more than the affected jurisdiction(s) proportional share of Transportation Development Act funds that are apportioned by LCTC on the basis of population.

The determination of whether a transit need is reasonable to meet shall also take into account as appropriate:

1. Likely demand for service based on transit use rates per capita in comparable communities and/or observed use rates in Lassen County.
2. Opportunities for coordination among adjoining public entities or with private transportation provider and /or funding agencies. This shall include consideration of other

LASSEN COUNTY TRANSPORTATION COMMISSION  
RESOLUTION 22-01  
ADOPTING “UNMET TRANSIT NEEDS” AND “REASONABLE TO MEET”  
DEFINITIONS

existing resources (including financial), as well as the legal or customary responsibilities of other entities (e. g., social service agencies, religious organizations, schools, carpools, etc.) Duplication of other services or recourses is unnecessary and not a prudent use of public funds.

3. An unmet transit need may be determined to be unreasonable to meet because it is not feasible to initiate service within the coming fiscal year, due to the time required for vehicle acquisition, planning, or similar time factors, or because additional information is needed to determine whether or not the unmet needs is reasonable to meet. An unmet transit need shall not be determined unreasonable to meet more than once on these grounds.
4. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for a finding that a transit need is not reasonable to meet.
5. Comparing unmet transit needs with the need for streets and roads shall not make the determination of whether an unmet transit need is reasonable to meet.

The foregoing resolution of the Lassen County Transportation Commission was adopted at its January 10, 2022 meeting by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

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JEFF HEMPHILL, Chairman  
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

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John L. Clerici, Executive Secretary

January 10, 2022