



Council Agenda Report

Item 6g

Department: Public Works
Cost Center: 621
For Agenda of: 3/21/2023
Placement: Consent
Estimated Time: NA

FROM: Matt Horn, Public Works Director
Prepared By: Austin O'Dell, Interim Transit Manager

SUBJECT: APPROVAL OF FEDERAL TRANSIT TITLE VI PROGRAM UPDATE AND
PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

RECOMMENDATION

1. Adopt a Draft Resolution entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving Federal Transit Administration Title VI Program Update and Public Transportation Agency Safety Plan for the San Luis Obispo Transit Services"; and
2. Authorize the City Manager, or their designee, to revise and execute any required certifications, forms, and associated documents on behalf of the City to comply with the FTA requirements discussed in this report.

POLICY CONTEXT

The City Council is the legislative authority which sets the policies under which the City's transit program operates. The City Council has the authority to adopt ordinances, resolutions, plans, establish policies, approve programs, establish fees, appropriate funds, adopt budgets and approve contracts.

The Federal Transit Administration (FTA) requires that the Title VI Program Update (under Title VI of the U.S. Department of Transportation regulations) and the Public Transportation Agency Safety Plan (PTASP) be approved by the direct or primary recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. The "recipient" is SLO Transit (the City's transit division), and the City Council is the approving board for this purpose.

DISCUSSION

Background

The Federal Transit Administration (FTA) requires the City of San Luis Obispo to maintain civil rights and safety programs in order to receive federal transit funds. The FTA has recently increased the requirements for civil rights programs to include surveys, outreach, and more analysis than previous years. Staff has conducted the required outreach, noticing, and comment period requirements for the programs.

Title VI Program Update

The purpose of the Title VI Program Update is to ensure that the level and quality of SLO Transit services are provided in a non-discriminatory manner and that the opportunity for full and fair participation is offered to SLO Transit's riders as well as other community members. The Title VI Program Update includes: complaint procedures, noticing requirements, public participation, limited language assistance, and service standards. FTA requires the Title VI Program to be updated every three (3) years in order to receive federal transit funds. The current Title VI Program expired on November 30, 2022. To maintain eligibility for federal funds following that date, staff took steps to demonstrate compliance with FTA's Title VI Program by preparing the document, conducting outreach, and submitted the document to FTA for review and concurrence. FTA has reviewed and concurs with the City's Title VI Program Update with the outstanding requirement of City Council's approval. Upon City Council's approval of Title VI Program Update, the City will be in full compliance for the next three years. Refer to Attachment B to review the proposed program update.

PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)

The PTASP rule requires operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants (49 U.S.C. § 5307) to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS), as well as a strategic approach to carry out the Transit Asset Management (TAM) Program.

SLO Transit has updated its PTASP (Attachment C) to meet requirements specified in 49 CFR Part 673. The plan meets FTA requirements and has been reviewed by San Luis Obispo Council of Governments (SLOCOG), as required by FTA regulations (23 CFR 450.316.)

The PTASP is based on the following four (4) principles or pillars of SMS: 1). Safety Management Policy; 2). Safety Risk Management; 3). Safety Assurance; and 4). Safety Promotion.

This plan includes Safety Performance Targets, which are specific numerical targets based on the Safety Performance Measures established by FTA in the National Public Transportation Safety Plan including: fatalities, injuries, safety events, system and reliability.

The PTSAP is updated annually and satisfies FTA requirements.

Previous Council Action

The City Council approved previous Title VI Program on January 21, 2020. In addition, City Council approved the previous PTASP on November 17, 2020.

Public Engagement

Staff conducted public outreach on September 8, 2022 in the Community Room for the Title VI Program Update, the Disadvantaged Business Enterprise (DBE) Program Update, and the Overall DBE Goal Setting Document. The public comment period for these documents was from August 23, 2022 through September 24, 2022. No significant comment was received pertaining to DBE and/or Title VI.

There is no public engagement requirement for the PTASP as this is an administrative document.

CONCURRENCE

The Title VI Program Update has been prepared in accordance with federal requirements. Prior concurrence from FTA is not required.

The PTASP Program Update has been prepared in accordance with federal requirements. This plan has been reviewed by SLOCOG.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act does not apply to the recommended action in this report, because the action does not constitute a "Project" under CEQA Guidelines Sec. 15378.

FISCAL IMPACT

Budgeted: NA

Budget Year: 2022-23

Funding Identified: NA

Fiscal Analysis:

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	\$	\$	\$	\$
State				
Federal				
Fees				
Other:				
Total	\$	\$	\$	\$

There are no fiscal impacts related to Council's resolution approval. Without Council's approval federal funds would no longer be available for SLO Transit.

ALTERNATIVES

Council could decide not to approve the federal program documents. The action is not the recommendation because the would be ineligible to receive dedicated federal transit funds.

ATTACHMENTS

A - Draft Resolution approving Title VI Program Update and the Public Transportation Agency Safety Plan

B - Title VI Program Update

C - Public Transportation Agency Safety Plan (PTASP) Update