

STAFF REPORT

SUBJECT: Solicit Public Input on COVID Related Service Reductions

FROM: Tony McCaulay, Director of Planning and Marketing

DATE: November 23, 2020

Action Requested

Staff recommends the Projects and Services Committee forward a recommendation to Board of Directors to open a public comment period regarding emergency service changes that have been implemented as a result of reduced ridership attributable to the COVID-19 pandemic.

Background

LAVTA's Public Hearing Policies and Procedures, approved by the LAVTA Board in December 2008 (Attachment 1), sets forth specific circumstances under which a public input process should be conducted as a result of service or fare changes. Typically, any service change affecting more than 25 percent of the daily miles of service operated on a route would trigger the necessity of a public input process.

The policy provides exceptions for minor changes in fares or service or for emergency service changes expected to last less than 180 days. If the changes ultimately continue to remain in effect for more than 180 days, they are then subject to the requirement for a public input process. LAVTA's service reductions implemented as a result of the COVID-19 pandemic have now been in place for more than 180 days.

Discussion

Shortly after Alameda County's Shelter in Place Order went into effect in mid-March, staff developed five levels of service reductions that might be implemented as a result of impacts related to COVID-19. Those service levels are described in Attachment 2. In early April, Service Level 3 was implemented and has remained in effect since that time. In August, two standby overload buses were added, one each at the East Dublin/Pleasanton BART Station and one at the downtown Livermore Transit Center. These buses are activated into service whenever passenger loads create social distancing challenges on an in-service bus.

Given the current status of the pandemic, staff does not foresee any major changes to the current service levels for several months at a minimum, barring any significant changes. Ridership has held steady for several months, Las Positas College has decided that the entire school year will be by remote learning and there are no plans for middle or high schools to resume in person classes in the near future. Additional standby overload buses may be put in service if warranted.

A transition to Service Level 4 would likely only be triggered by either a significant reduction in retail activity or other restrictions imposed by the county health officer.

Next Steps

Staff proposes that the public comment period commence upon Board action on December 7 and continue through Friday January 8, 2021. During the public comment period, LAVTA Staff will publish a notice regarding the nature of the public input process in the Pleasanton Weekly and The Independent. Staff will also solicit passenger input via the following channels: a press release, signage on all buses and posts on the wheelsbus.com website and social media channels.

Input received during the public input process will be summarized and presented to the Projects and Services Committee in January and to the full Board at their February 1 meeting. Any staff recommendations resulting from the public input process will also be presented to the committee.

Recommendation

Staff recommends the Projects and Services Committee forward a recommendation to Board of Directors to open a public comment period regarding emergency service changes that have been implemented as a result of reduced ridership attributable to the COVID-19 pandemic.

Attachments:

1. LAVTA's Public Hearing Policies and Procedures
2. LAVTA's Five-Level COVID Related Service Impact Plan

ATTACHMENT 1: LAVTA'S PUBLIC PARTICIPATION PLAN**PUBLIC HEARING POLICIES AND PROCEDURES****Adopted December 1, 2008****I. BACKGROUND**

The Livermore Amador Valley Transit Authority (LAVTA) is required by Federal law to establish a policy which describes a process to solicit and consider public comment prior to raising fares or implementing a major reduction of transit services.

II. LAVTA POLICY

1. It shall be LAVTA's policy that public comments be solicited prior to:

- (i) Any permanent change which increases fares on LAVTA's/WHEELS fixed route service.
- (ii) Any permanent change which increases fares on LAVTA's Dial-A-Ride paratransit service.
- (iii) A twenty-five percent (25%) or more reduction of the number of daily transit revenue vehicles of a route; i.e., the total number of miles operated by all vehicles in revenue service for a particular day of the week on an individual route.
- (iv) A twenty-five percent (25%) or more reduction of the number of transit route miles of a route; i.e., the total mileage covered during the one round trip by a vehicle in revenue service on a particular route.
- (v) Proposed introduction of a new route.

2. It shall be LAVTA's policy that the following are ordinarily exempt from the requirement of public comment and public hearing:

- (i) A minor change in fare or service. Examples would be temporarily reduced or promotional fares, minor reroutes or minor temporary reroutes due to street construction or minor schedule changes.
- (ii) Experimental or emergency service or fare changes expected to exist fewer than 180 days and standard seasonal variation in service. If these changes ultimately continue to remain in effect for more than 180 days, they will be the subject of public comment and public hearing.

III. PROCEDURES**1. PRIOR COMMITTEE CONSIDERATION**

All public hearings are to be called by a LAVTA Committee or the Board of Directors. However, when authorized by the Chair, the Executive Director may call a public hearing that is required by law or by District policy when doing so would move the process forward in a timely manner.

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As a general rule, no hearing will be called until the subject of the hearing has been reviewed by the Operations Committee. In particular with regard to the proposed implementation of a new or revised route, LAVTA staff will recommend to the Operations Committee, as well as to Board Members from affected cities that do not serve on the Operations Committee, the specific element(s) in the Public Outreach Toolbox (see attachment) to use for the public hearing.

The Operations Committee report to the Board should identify the subject of the hearing, explain what objectives are sought to be achieved by the proposal which will be considered at the hearing and indicate whether the hearing is legally required prior to Board action on the subject. The report shall also address whether there is a particular sector of the public that needs to be involved. However, if time does not permit prior committee consideration, the Executive Director may refer the matter directly to the Board.

2. PUBLIC NOTIFICATION

When required, the public comment process will generally begin with the publishing of a notice 30 calendar days in advance of the public hearing date in the local newspaper of general distribution. Shorter notice may be given when permitted by law and when financial, operational, or scheduling considerations make it infeasible to provide 30 days advance notice. At a minimum, the notice must be published at least 10 days prior to the hearing. LAVTA will also post the notice publicizing the hearing on its website.

If specific groups or neighborhoods would be affected by a proposed change, LAVTA shall use best efforts to publish the notice in newspapers, if any, oriented to such groups or neighborhoods and to otherwise publicize the hearing to reach such groups or neighborhoods.

This notice will set a specific place, date and time for one or more public hearings. Written comments will also be accepted on the proposed changes until the opening of the public hearing.

3. SCHEDULING PUBLIC HEARING(S)

The public hearing(s) will be scheduled at a time, date and place designated in the public notice. The facility utilized for public hearings will be accessible to persons with disabilities. Special arrangements will be made for sight or hearing impaired persons if requested.

4. PROCEDURE FOR CONDUCTING PUBLIC HEARING

Forms will be available to attendees to register their presence and desire to speak. Public hearings will begin with a reading of the public notice, purpose and

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proposed action which necessitated the public hearing. After an explanation of the proposed action is completed, the public will be invited to offer their comment. Limitations may be established on the length of oral presentations in order to afford all members of the public a reasonable opportunity to speak. After all registered persons have commented, a final opportunity will be offered for any additional public comment. This offering will precede the close of the public hearing.

At the close of the public hearing, it will be announced where the item will next be heard, either before a committee or the Board. At the subsequent committee or Board meeting, the Executive Director will provide a report summarizing and responding to key comments made by the public.

5. ADDRESSING PUBLIC COMMENTS RECEIVED

All relevant comments received verbally or in writing at a public hearing, or as otherwise conveyed to LAVTA prior to the established deadline, will be entered into the public record of the comment process. Additionally, comments regarding route changes submitted by the public subsequent to the last service change shall be entered into the public record. Subsequent to the public comment period, staff will evaluate and analyze all relevant comments received and prepare a written summary report of significant issues raised during the public comment period for consideration by the LAVTA Board of Directors.

6. SUBSEQUENT BOARD CONSIDERATION AND ACTION

Consideration of and action on all fare increase or major changes in service held at a subsequent committee or Board meeting after the public hearing shall not require further published notice. Notice of the agenda of such committee or Board meeting shall be provided in accordance with regular LAVTA procedures.

LAVTA Five-Level COVID Related Service Impact Plan

Service Level 1: Regular service, no disruptions, schools closed

- All Wheels and Rapid buses operating on regular schedules
- Dial-a-Ride Paratransit, Para-taxi and GoDublin still available
- Supplemental school routes discontinued until school resumes

Service Level 2: Frequency reductions on Rapid Routes, other reductions

- Rapid Routes 10R and 30R will operate on a 30-minute frequency during hours when 15-minute frequency is normally offered
- Routes 20X and 580X will not operate due to extremely low ridership; alternate service available using Route 30R
- Route 2 will not operate due to extremely low ridership; alternate service available using LAVTA's Go Tri-Valley program
- Routes 53 and 54 continue to operate subject to continuation of ACE service
- Dial-a-Ride Paratransit, Para-taxi and Go Tri-Valley still available

Service Level 3: Weekend service schedules except for Rapid routes

- Rapid Routes 10R and 30R will continue to operate at the Service Level 2 frequencies, on a 30-minute frequency during hours when 15-minute frequency is normally offered
- Routes 1, 3, 8, 14 and 15 will operate on weekend schedules
- Route 2, 11, 20X, 70X and 580X will not operate
- All service after 11pm discontinued
- Routes 53 and 54 continue to operate subject to continuation of ACE service
- Dial-a-Ride Paratransit, Para-taxi and Go Tri-Valley still available

Service Level 4: Additional service frequency reductions

- No changes to service frequencies on Rapid Routes 10R and 30R
- Weekend service level continues on Routes 1 and 15
- Routes 3, 8 and 14 will operate during peak hours only
- Routes 2, 11, 20X, 70X and 580X continue to be suspended
- No service after 11pm continues
- Routes 53 and 54 continue to operate subject to continuation of ACE service
- Dial-a-Ride Paratransit, Para-taxi and Go Tri-Valley still available

Service Level 5: No service

- All service discontinued due to public health mandates or other circumstances beyond our control